

# School-Age Child Care Facility Handbook

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*This handbook is incorporated by reference in rule 65C-22.008, Florida Administrative Code.*

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# 1 Introduction

To protect the health and welfare of children, it is the intent of the Legislature to develop a regulatory framework that promotes the growth and stability of the child care industry and facilitates the safe physical, intellectual, motor, and social development of the child. To that end, the Child Care Regulation Program is responsible for regulating programs that provide services that meet the statutory definition of “child care.” This is accomplished through the inspection of licensed child care programs to ensure the consistent statewide application of child care standards established in statute and rule, and the registration of child care providers not subject to inspection.

The Department regulates licensed child care facilities, licensed family day care homes, licensed large family child care homes, and licensed mildly ill facilities in 62 of the 67 counties in Florida. Five counties have decided - either by statute or by the adoption of a local ordinance or resolution - to designate a local licensing authority to regulate child care providers in their areas. The following counties have elected to exercise this option: Broward, Hillsborough, Palm Beach, Pinellas and Sarasota.

Local licensing agencies may use the same or different procedures to implement local licensing standards, which must have been determined by the state to meet or exceed the state’s minimum licensing standards. Three of the five local licensing agencies have designated the local County Health Department as the licensing authority. Broward and Hillsborough counties have designated other agencies as the local licensing authority.

## 1.1 Child Care Programs Subject to Regulation

“Child care” is defined as “the care, protection, and supervision of a child, for a period of less than 24 hours a day on a regular basis, which supplements parental care, enrichment, and health supervision for the child, in accordance with his or her individual needs, and for which a payment, fee, or grant is made for care.” If a child care program meets this statutory definition of “child care,” it is subject to regulation by the Department/local licensing agencies, unless specifically excluded or exempted from regulation by statute.

Every program determined to be subject to licensing must meet the applicable licensing standards established by subsection 402.301-.319, Florida Statutes, and rules.

## 1.2 Definitions

**“Active”** is the status of a candidate’s awarded credential or certification signifying requirements have been successfully met.

**“Age appropriate”** means of the right size, child sized or adapted so that a child can use safely. Suitable to the chronological age range and developmental characteristics of a specific age group of children or child. This means the materials/equipment should interest and challenge children in terms of their age and abilities. Any material/equipment with a specified age range by manufacturer must be followed when being used by children.

**“Before-School and After-School site”** refers to a program, regardless of location, that provides child care for children who are at least 5 years old and are enrolled in and attend a kindergarten program or grades one and above during a school district’s academic calendar year. This is limited to programs that provide care only before and after the recognized hours of a district’s school day and on teacher planning days, holidays, and intercessions that occur during the school district’s official academic calendar year.

**“Begin training for child care personnel”** refers to a candidate’s commencement of at least one of the child care training courses listed in section 402.305(2)(e)1, F.S., within the first 90 days of employment in the child care industry.

**“Caterer”** means a duly-licensed food service business that provides ready-to-be-served meals to a provider. A copy of the license or permit must be in the child care facility and available for review by the licensing authority.

**“Classroom/Room/Designated Space”** means a learning space or room in which care is provided or classes are held and where learning can take place uninterrupted by outside distractions. The designation of space as a classroom must be reviewed and approved by the licensing authority prior to its use as such. If floor to ceiling walls are not present, the classroom walls must be defined by stable barriers, and must adhere to the requirements for such barriers as outlined in this section.

**“College Degree”** means a degree obtained from an institution accredited by an agency that is recognized as an accrediting agency by the U.S. Department of Education. If a college degree is earned outside the U.S., it must be evaluated by a credential evaluation agency approved by the Bureau of Educators Certification or an accredited college/university and determined to be equivalent to a U.S. degree.

**“Continuing Education Unit (CEU)”** is a standard unit of measure of coursework used for training and credentialing purposes. The Department will accept CEUs for training offered by the Department, Office of Early Learning, from educational institutions accredited and recognized by the U.S. Department of Education, organizations accredited by the International Association of Continuing Education and Training (IACET), or from nationally affiliated member-based state professional organizations, see definition below. CEUs awarded for training and credential purposes will be calculated at a rate of 1 continuing education unit for every 10 hours of contact training.

**“Direct supervision”** means actively watching and directing children’s activities within the same room or designated outdoor play area, during transportation, any activity outside of the facility, and responding to the needs of each child while in care.

**“Director”** means “operator” as defined in section 402.302(13), F.S., who is the on-site administrator or individual who has the primary responsibility for the day-to-day operation, supervision and administration of a child care facility.

**“Director Credential”** is a Department-approved comprehensive credential that consists of educational and experiential requirements as referenced in section 4.8 of this handbook.

**“Disposable”** means an article intended by the manufacturers to be used once and then thrown away.

**“Early Childhood Education”** refers to coursework, certification, a credential or degree specific to children ages birth through eight years.

**“Fall/Use zone”** means the surface area under and around a piece of playground equipment onto which a child would be expected to land when falling from, or exiting, the playground equipment. The use zone must extend a minimum of 6 feet in all directions from the perimeter of the playground equipment, unless manufacturer specifications for safe usage requires less fall/use zone material.

**“Field trip”** means any trip away from the center, whether by vehicle or by walking. Field trips commence when child care personnel and children leave the facility’s premises, whether by vehicle or by walking.

**“Food equipment”** means all stoves, ranges, crock pots, microwaves, hoods, tables, counters, cabinets, refrigerators, freezers, sinks, dishwashing machines, and other items used in the preparation, reheating, and serving of food, with the exception of utensils.

**“Foster Grandparents”** are directly supervised volunteers who participate in the federal program pursuant to 45 Code of Federal Regulations part 2552. Foster grandparents work with one or more children with special or exceptional needs in child care programs and are not counted in the staff-to-child ratio. Foster grandparents are required to have 100% attendance of the Department’s following training courses: Child Care Facility Rules and Regulations; Health, Safety, and Nutrition; Identifying and Reporting Child Abuse and Neglect; and Special Needs Appropriate Practices. This requirement can be met by either instructor-led or online training and does not require a competency exam. Foster grandparents must begin training within 30 days of working in the child care industry in any licensed Florida child care facility, family day care home or large family child care home. Training must be completed within one (1) year from the date of working in the child care industry in any licensed Florida child care facility. Foster grandparents are not classified as child care personnel, and they may not be assigned the roles of teacher’s aides, group leaders or other similar positions.

**“High School Diploma or GED”** means a diploma or GED or their equivalent as recognized and accredited by the U.S. Department of Education or its equivalent at the state level. If a high school diploma is earned outside the U.S., it must be translated and evaluated by someone who is a member of the American Translators Association, a credential evaluation agency approved by the Bureau of Educators Certification, or an accredited college/university and must be determined to be equivalent to a U.S. high school diploma or GED or their equivalent. High school diplomas issued by private schools that are registered with or recognized by the Florida Department of Education or its equivalent in other states will be accepted.

**“Immediate”** means occurring, acting, or accomplished without loss or interval of time.

**“Inactive”** refers to the status of a candidate’s awarded credential or certification that is no longer active; however, the credential remains eligible for renewal.

**“Initial Screening”** means a full Level 2 screening which must include, at a minimum, Federal Bureau of Investigation (FBI) and Florida Department of Law Enforcement (FDLE) checks, a search of the criminal history records, sexual predator and sexual offender registry, and child abuse and neglect registry of any state in which the applicant is currently residing or has resided in during the preceding five years.

**“International Association of Continuing Education and Training (IACET)”** is an accreditation that is recognized by the American National Standards Institute as a standard setting organization for continuing education and training.

**“Nationally Affiliated Member Based State Professional Organization”** means an organization that have the following characteristics: they are chapters or officially affiliated with a national child care advocacy organization that for over 20 years has provided members with opportunities to use and strengthen leadership skills that benefit children, families, providers and members at the local and state level, offer advocacy opportunities to raise awareness of the importance of child care education through a unified organization voice,



and offer professional development for members through opportunities to access local and state resources and to network with child care and educational professionals. Examples of such organizations are the Florida Association for the Education of Young Children, Inc. and Florida Family Child Care Home Association, Inc. The term member-based state professional organization does not include an organization that provides primarily training opportunities.

**“Potentially hazardous food”** means any food that requires time-temperature control (refrigeration or hot holding) and contains ingredients such as milk, milk products, eggs, meat, poultry, fish, shellfish, cooked plant food (rice, beans, vegetables, and baked potatoes), tofu, other soy-protein products, mushrooms, cut melon, cut tomatoes, raw sprouts, and untreated garlic/oil mixtures.

**“Preparation of food”** includes the selection and portioning or combining of ingredients to create food intended for consumption. This definition is not limited to cooking. Excluded from the definition are warming of pre-prepared food (such as catered food and food provided by a child’s parent or guardian) distributing individually pre-packaged snacks, and learning activities provided by a child care program that may include raw or prepared food. A learning activity may not replace a regularly scheduled meal.

**“Professional contribution,”** for the purpose of Director Credential renewal, demonstrates a dedication to early childhood or school-age education outside of the child care program responsibilities by engaging in activities that improve the field of early childhood or school-age education. Examples of such a contribution are: active participation in an appropriate professional organization, publishing an article related to early childhood or school-age education, presentation in the field of early childhood or school-age education at a conference, teach courses through an educational institution, participate in an educational research project, completion of initial or renewal of a Florida-recognized accreditation program, serve as a validator or advisor for a Florida-recognized accreditation program, serve as an editor or reviewer for a professional journal or book, or active participation in rule development workshops.

**“Re-screening”** is the background screening process that is conducted every five years after the date of the initial screening submission. Re-screening must include, at minimum, a search of the criminal history records, sexual predator and sexual offender registry and child abuse and neglect registry of any state in which the applicant resided during the preceding five years.

**“Sanitize”** means the process of destroying or reducing organisms to a safe level which includes properly cleaned equipment and surfaces, such as sinks and sleep mats. Sanitation shall be accomplished with the application of a chemical sanitizer or the use of hot water or steam. Sanitizing agents must be used according to the manufacturer label. Sanitizing agents used on food contact surfaces must be labeled by the manufacturer safe for use on food contact surfaces and have specific instructions designed for use on food contact surfaces. The manufacturer’s directions must be followed.

**“School-Age Child Care Credential”** is equivalent to a child development associate credential, pursuant to 402.305(3)(b), F.S., and offered through one of the following programs: Florida Child Care Professional Credential (FCCPC) or Florida Department of Education School-Age Professional Certificate (SAPC). Issuance of a School-Age Child Care Credential certifies successful completion of a department-approved training program that consists of a minimum of 120 hours of school-age/early childhood instruction, 480 contact hours with school-age children, and formal observations. Credentials must be documented

on CF-FSP Form 5270, Florida Child Care Professional Credential Certificate). A copy of CF-FSP 5270 may be obtained from the department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare). Active credentials are valid for five years from the date of issuance. A list of approved and recognized School-Age Child Care Credential programs may be obtained from the department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).

**“Sedentary Activities,”** are those activities where the children are seated and working in one space.

**“Serious Injury,”** is any injury/incident resulting in death or serious physical or emotional harm to a child that prudently calls for medical attention, including medication errors that present a risk of ineffectiveness or adverse reaction.

**“School-Age Child”** means a child who is at least 5 years of age by September 1st of the beginning of the school year and who attends grades kindergarten or above.

**“School-Age Child Care Program”** means any child care facility serving only school-aged children in a before- and after-school or out-of-school time program.

**“Serving food,”** means the provision of meals and snacks to children.

**“Single-service articles”** means any cups, containers, plates, straws, place mats, napkins, doilies, spoons, stirrers, paddles, knives, forks, wrapping materials and all similar articles that are constructed wholly or in part from paper, paperboard, molded pulp, foil, wood, plastic, synthetic or other readily destructible materials, and which are intended by the manufacturers to be for one-time, one-person use, then to be discarded.

**“Sleeping”** means the normal night time sleep cycle.

**“Stable walls or barriers”** refer to the boundaries that define a classroom space. Walls or barriers must be constructed in a sturdy manner and anchored together, or to the floor or walls. Walls or barriers must be stable and secure and must not pose a threat to falling over. The material for the barriers or walls must be non-hazardous and may not be made of materials such as see-thru or plastic curtains, fabric or mesh materials. The stable walls or barriers must be a minimum of 32 inches in height from the floor in classrooms for children ages birth through 2, and must be a minimum of four (4) feet in height from the floor in classrooms for children ages 3 years and older. All classrooms must continue to meet fire code requirements for entrance(s) and exit(s) of the classroom.

**“Tableware”** means utensils used for eating, drinking, and serving food including forks, knives, spoons, bowls, and cups and serving dishes. Tableware may be either multi-use or single service.

**“Training Transcript”** is the electronic documentation of statutorily mandated training and staff credential qualifications for child care personnel. Training Transcripts may be obtained from the Department's website at [www.myflfamilies.com](http://www.myflfamilies.com).

**“Unitary Surfacing Material”** is a manufactured material used for protective surfacing in the fall/use zone that may be rubber tiles, mats, or a combination of energy absorbing materials held in place by a binder that may be poured in place in the play area and cures to form a unitary shock absorbing surface.

**“Utensils”** means pots, pans, ladles, pitchers, cutting boards, knives, or food containers used in the preparation, storage, transportation, or serving of food.

**“Weighted score”** means a scaled score, rather than a percentage score, based on the

difficulty of the exam and determined by competency exam professionals in consultation with subject matter experts.

**“Year of experience”** as it relates to the Director Credential is equivalent to a minimum of 1,040 hours of paid and/or nonpaid documented work experience as a child care facility director, co-director, or lead teacher.

## 2 General Requirements

### 2.1 License Application Process or Renewal

- A. Applicants for a license or for renewal of a license to operate a school-age child care program must complete a CF-FSP Form 5272, Application for a License to Operate a School-Age Child Care Facility. CF-FSP Form 5272 is incorporated by reference in 65C-22.008(1), F.A.C. and may be obtained from the Department’s website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare) or from the following link <http://www.flrules.org/Gateway/reference.asp?No=Ref-03028>.
- B. Each completed application must be submitted with the licensure fee as determined by s. 402.315, Florida Statutes.
- C. All fines imposed through the administrative process or an administrative hearing against an applicant must be paid before a license can be issued. If, at the time of a license renewal application, there is a pending administrative hearing resulting only from a proposed fine, it shall not affect the renewal of the license. If, at the time of a license renewal application, there is a pending revocation proceeding a satisfactory inspection is required and the issuance of a license is dependent upon the final order.
- D. The provider will not be issued a new license until the final order is entered. During the application determination, the provider will be able to continue to operate as long as provisions are in place to ensure the continued health and safety of the children in care. This option may be reversed if the provider continues to violate standards and there is a court-ordered injunction to cease operation until the final order is issued.
- E. A school-age child care license is issued in the name of the owner and for the single physical location identified on the application. The license is non-transferable between owners and locations.
- F. The child care facility must not be used for any business or purpose unrelated to providing child care that can interfere with compliance with child care standards or permit the unsupervised presence of individuals who do not meet screening and training requirements (with the exception of parents or legal guardians of children in care) when children are present. A child care facility that utilizes any area that is subject to use by persons outside of the program must have exclusive control of such area when used by the program and provide effective measures to exclude individuals who do not meet screening and training requirements from that area.
- G. Every child care facility must hold a valid license prior to operation.
- H. The facility must maintain and display the license in one central area within the facility where parents can view.

### 2.2 Minimum Age Requirements

Child care personnel of at least 21 years of age must be in charge of the program and must be on the premises at all times during operating hours.

## 2.3 Ratios

When caring for children 5 years of age and older, the staff-to-child ratio must be at least one (1) child care personnel for every twenty-five (25) school-age children in care (1:25).

## 2.4 Supervision

When caring for school-age children, child care personnel will be responsible for the supervision of the children in care and capable of responding to emergencies, and are accountable for the children at all times, including when children are separated from their groups. Children must never be left without child care personnel supervision inside or outside the facility, in a vehicle, or at a field trip location by themselves.

- A. At all times, lighting within the facility must allow child care personnel to see and supervise all children while in care.
- B. Supervision standards apply at all times away from the child care facility, including during field trips, outdoor play, and when picking up or dropping off children at designated locations, such as bus stops, schools or a child's home. Personnel must know where children are and what they are doing at all times and be capable of responding to emergencies including when children are separated from their group.
- C. Child care personnel must respond appropriately to the individual needs and special interests, abilities and cultures of children.
- D. The facility must have and communicate to child care personnel and parents/guardians a plan for safe, supervised drop-off and pick-up points and pedestrian crosswalks in the vicinity of the facility. The plan must require that drop-off and pick-up are in a location protected from traffic.
- E. Child care personnel are required to supervise drop-off and loading to assure that children are clear of the perimeter of all vehicles before the vehicle moves. The child care personnel supervising the children are required to stay with each child and remain responsible until the custody of the child has been accepted by the individual designated in advance to care for that child.
- F. Children that are delivered to a location offsite from the facility by someone other than the parent or guardian become the responsibility of the child care program at that designated location and time agreed upon by the provider and the parent/guardian. The provider is responsible for the timely arrival of its child care personnel at the designated location and supervision of the child upon the child's arrival. If a child is not present at the time of pick-up, prior to leaving the designated location, child care personnel must contact the facility to notify them of the child's absence. Child care personnel at the facility must contact the child's parent or legal guardian to notify them of their child's absence.
- G. No person shall be an operator, owner or employee in a program while using or under the influence of narcotics, alcohol or other drugs that impair an individual's ability to provide supervision and safe child care.
- H. In addition to the number of child care personnel required to meet the staff-to-child ratio, for the purpose of safety, one additional adult must be present on all field trips away from the school-age child care program to assist in providing direct supervision. The individual could be a parent volunteer as long as that person is under direct and constant supervision of a screened and trained child care personnel of the school-age child care program.
- I. When a child care facility that utilizes an area away from the facility or on a field trip that is subject to use by persons outside of the program and does not allow the program to have exclusive control of such area, the children must be under direct supervision (within sight and sound) of a screened and trained child care personnel.

- J. When transporting children in a vehicle or on foot, a telephone or other means of instant communication must be available to child care personnel. Cellular phones, two-way radio devices, citizen band radios, and other means of instant communication are acceptable.
- K. During meal/snack times, children must be individually fed and provided their own tableware and be supervised appropriately for their ages.
- L. A program is responsible for the supervision of a child until an authorized individual retrieves the child from the program. A child shall not be released to any person other than the person(s) authorized or in the manner authorized in writing by the custodial parent or legal guardians. All individuals authorized to pick up a child must be identified in writing prior to release by the custodial parent or legal guardian to the program, and the program must verify the individual picking up the child is authorized by using a picture form of identification. Each child transported must be dropped at the designated location as agreed upon by the provider and the custodial parent/legal guardian and released to an authorized individual.
- M. If a school-age child care program uses a swimming pool that exceeds 3 feet in depth or uses beach or lake areas for water activities, the following requirement must be met:
  - 1. A certified lifeguard must be on duty and present when any children are in the swimming area.
  - 2. Providers must ensure that all pools used have a current permit with the local health department that confirms compliance with the Virginia Graeme Baker Pool and Spa Safety Act, as referenced in Caring for Our Children Basics Health and Safety Foundations for Early Care and Education, which is incorporated by reference in 65C-22.001(7)(v), F.A.C.
  - 3. Each swimming pool more than six feet in width, length, or diameter must be provided with a ring buoy and rope, a rescue tube, or a throwing line and a shepherd's hook that will not conduct electricity. This equipment must be long enough to reach the center of the pool, kept in good repair, and stored safely and conveniently for immediate access. Child care personnel must be instructed on the proper use of this equipment and documentation of instruction must be maintained in the child care personnel file.
  - 4. A staff-to-child ratio of 1:10 must be maintained while school-age children are in the water.

## 2.5 Transportation

Child care providers must comply with minimum health and safety standards to ensure the well-being of children in their care being transported. For the purposes of this section, transportation pertains to travel by foot or in a vehicle that is owned, operated or regularly used by the child care program, and vehicles used to provide transportation through a contract or agreement with an outside entity.

### 2.5.1 Driver Requirements

The driver of any vehicle used by a school-age child care program to provide transportation must have the following:

- A. A valid Florida driver's license;
- B. An annual physical examination which grants medical approval to drive, and valid certificate(s) of course completion for first aid training and pediatric cardiopulmonary resuscitation (CPR) procedures.

### **2.5.2 Transportation Log**

- A. A log must be maintained for all children being transported in the vehicle or on foot away from and/or to the premises of the child care facility. The log must be retained on file at the facility for a minimum of 12 months and available for review by the licensing authority. The log must include:
  - 1. Each child's name,
  - 2. Date and time of departure,
  - 3. Time of arrival at the destination,
  - 4. The signature of the driver (or in the case of traveling on foot, the signature of the child care personnel), and
  - 5. The signature of a second child care personnel or person(s) authorized by the parent to verify the transportation log and that all children have left the vehicle (if applicable).

#### **Transportation By Foot**

- B. Prior to transporting children by foot, the transportation log must be recorded with each child's name, the date and time of departure, and initialed by the child care personnel verifying that all children were accounted for and that the log is complete.
- C. Upon arrival at the destination by foot, the child care personnel must:
  - 1. Record the date and time the child(ren) arrived at the destination on the transportation log immediately,
  - 2. Conduct roll call, record, date, and initial verifying that all children were accounted for.
  - 3. The same must occur prior to leaving that location and immediately upon returning to the facility premises. The first and second child care personnel must sign the log verifying all children are accounted for and the log is complete at each destination.
- D. Upon arrival at the destination by foot, a second and different child care personnel must:
  - 1. Witness roll call to verify all children are accounted for and that the log is complete.
  - 2. Sign and date the transportation log.

#### **Transportation By Vehicle**

- E. Prior to transporting children by vehicle, the transportation log must be recorded with each child's name, the date and time of departure, and initialed by the child care personnel verifying that all children were accounted for and that the log is complete.
- F. Upon arrival at the destination, the driver of the vehicle must:
  - 1. Mark each child off the log as the child departs the vehicle;
  - 2. Conduct a physical inspection and visual sweep of the vehicle interior to ensure that no child is left in the vehicle; and

3. Record, sign, and date the transportation log immediately, verifying that all children were accounted for, and that the visual sweep was conducted.
  4. Ensure that a second child care personnel conducts a second visual sweep, signs and dates the transportation log verifying that all children were accounted for, and that the log is complete.
  5. If the provider contracts with an outside entity to provide transportation, then the provider must assign a child care personnel to perform the duties of the driver outlined above in numbers 1-3.
- G. Upon arrival at the destination by vehicle, a second and different child care personnel must:
1. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and
  2. Sign, date and record the transportation log immediately, verifying that all children were accounted for, and that the log is complete.

### 2.5.3 Emergency Care Plans

- A. Child care personnel must have possession of emergency medical consent and contact information for the parent or legal guardian of each child being transported by vehicle or on foot while away from the child care facility.
- B. When transporting children with chronic medical conditions (such as asthma, diabetes or seizures), their emergency care plans and supplies or medication must be in the possession of child care personnel and inaccessible to the children. A designated child care personnel, in the vehicle or on the field trip, must be trained to recognize and respond appropriately to a medical emergency per medication requirements in section 6.5, I.
- C. Each child with an allergy should have a written emergency care plan that includes:
  1. Instructions regarding the allergen to which the child is allergic and steps to be taken to avoid that allergen;
  2. A detailed treatment plan to be implemented in the event of an allergic reaction, including the names, doses, and methods of prompt administration of any medications.
  3. Specific symptoms that would indicate the need to administer one or more medications.
- D. Based on the child's emergency care plan, provided by the parent/legal guardian or physician, and prior to caring for the child, child care personnel should implement measures for preventing exposure to specific allergen(s) to which the child is allergic and recognizing the symptoms of an allergic reaction.
- E. Child care personnel shall notify parents/guardians immediately of any suspected allergic reactions, as well as the ingestion of or contact with the problem allergen even if a reaction did not occur. Child care personnel shall contact 911 immediately whenever epinephrine has been administered.

### 2.5.4 Vehicle Requirements

For the purpose of this section, vehicles refer to those owned, operated or regularly used by the school-age child care program, and vehicles that provide transportation through a contract or agreement with an outside entity. Parents'/guardians' personal vehicles used for transporting during field trips are excluded from meeting the requirements in this section.



- A. All vehicles regularly used to transport children must be inspected annually by a mechanic to ensure that they are in proper working order. Documentation by the mechanic must be maintained in the vehicle.
- B. The maximum number of individuals transported in a vehicle may not exceed the manufacturer's designated seating capacity or the number of factory installed seat belts.
- C. When transporting children, staff-to-child ratios must be maintained at all times. The driver may be included in the staff-to-child ratio if he or she meets screening and training requirements.
- D. All child care facilities must comply with the insurance requirements found in Section 316.615(4), F.S. Documentation shall be maintained at the facility.
- E. The interior of vehicles, when being used to transport children, must be maintained at a temperature comfortable to children (between 65- and 82-degrees Fahrenheit). The vehicle can be ventilated either by mechanical or natural means to maintain temperature.

### 2.5.5 Seat Belt/Child Restraints

Each child, when transported, must be seated in a back seat in an individual factory installed seat belt or federally approved child safety restraint. The child safety restraint must be installed, secured and used in accordance with the manufacturer's instructions and a copy of such instructions must be maintained in the vehicle and/or on file with the program. Child safety restraint must be replaced if they have been recalled, are past the manufacturer's "date of use" expiration date, or have been involved in a crash that meets the U.S. Department of Transportation crash severity criteria or the manufacturer's criteria for replacement of restraints after a crash, as referenced in Caring for Our Children Basics Health and Safety Foundations for Early Care and Education, which is incorporated by reference in 65C-22.001(7)(v), F.A.C.

- A. All children under age 5 must be in a car seat or booster seat.
- B. All children age 5 and older must be in seat belts.
- C. When applicable, any vehicle used for transporting children must accommodate the placement of wheelchairs with four tie-downs affixed according to the manufactures' instructions in a forward-facing direction and the wheelchair occupant must be secured by a three-point tie restraint during transport; or the child must be placed in a federally approved child safety restraint or factory installed seatbelt when transported, in accordance to the child's needs. Manufacturers' specifications must be followed to assure that safety requirements are met.

## 2.6 Planned Activities

Each group or class must have a written and followed plan of scheduled activities posted in an easily seen location accessible to parents. The written plan must meet the needs of the children being served and must include alternate activities in case of bad weather. The written plan must include a variety of activities that range from structured to unstructured, meet the needs of the children being served and provide alternate activities in case of bad weather. The written plan also must include scheduled activities that:



- A. Promote emotional, social, intellectual and physical growth;
- B. Promote daily recreation, sports or fitness activities;
- C. Limit electronic media time (television, videos, movies, or computer games) to no more than 2 hours per day. Computer use should be limited to no more than 15-minute increments, unless used for scholastic tutoring purposes;
- D. Include both indoor and outdoor play, if applicable; and
- E. Include meals, snacks, and rest, if appropriate, for the times the children are in care.
- F. An appropriate daily schedule provides flexibility and contains transition periods that help children move smoothly from one activity to another.
- G. The program may allow children to choose their own activities from the daily schedule that offer both indoor and outdoor activities and a variety of social, recreational and educational opportunities.
- H. The program must offer scheduled time in an appropriate environment for academic support or homework assistance.
- I. The program must make reasonable accommodations to the environment, planned activities and schedule so that children with special needs may participate.

## 2.7 Field Trip Activities

- A. Parents/guardians must be advised in advance of each field trip activity.
- B. The date, time, and location of the field trip must be posted in an easily seen location at least two working days prior to each field trip.
- C. Written parental permission must be obtained in the form of a general or event-specific permission slip.
- D. If special circumstances arise where notification of an event cannot be posted for two working days, individual permission slips must be obtained from the custodial parent or legal guardian for each child participating on the field trip.
- E. Documentation of parental permission for field trips must be maintained for a minimum of 12 months from the date of the field trip.
- F. Emergency contact information for each child on the field trip, including walking field trips, must be in the possession of a child care personnel on the field trip.
- G. A field trip includes all activities away from the program, excluding regular transportation to and from the program (i.e., pick-up and drop-off).

## 2.8 Child Discipline

- A. Each school-age child care program must have a written discipline policy in accordance with s. 402.305(12), F.S. Such policies must include standards that prohibit children from being subjected to discipline that is severe, humiliating, frightening, or associated with food, rest, or toileting. Spanking or any other form of physical punishment must not be administered by any child care personnel.
- B. All child care personnel must comply with the school-age child care program's written discipline and expulsion policies.
- C. Verification that the school-age child care program has provided the parent or guardian a written copy of the disciplinary and expulsion policies used by the program must be documented on the enrollment form with the signature of the custodial parent or legal guardian.
- D. Active play, both indoor and outdoor, must not be completely withheld from children who misbehave. For example, a child being left in the office the entire time the rest of the children go outside to play would be unacceptable. Time-outs may be used during

- indoor or outdoor play provided an age appropriate time limit has been established.
- E. A copy of the current discipline and expulsion policies must be available to parents/guardians and the licensing authority to review. Providers must have a comprehensive discipline policy that includes developmentally appropriate social-emotional and behavioral health promotion practices as well as discipline and intervention procedures that provide specific guidance on what child care personnel should do to prevent and respond to challenging behaviors. Preventive and discipline practices should be used as learning opportunities to guide children's appropriate behavioral development.
  - F. The following discipline techniques shall be prohibited in the facility:
    - 1. The use of corporal punishment/including, but not limited to:
      - a) Hitting, spanking, shaking, slapping, twisting, pulling, squeezing, or biting;
      - b) Demanding excessive physical exercise, excessive rest, or strenuous or bizarre postures;
      - c) Compelling a child to eat or have in his/her mouth soap, food, spices, or foreign substances;
      - d) Exposing a child to extremes temperature;
      - e) Rough or harsh handling of children, including but not limited to: lifting or jerking by one or both arms; pushing; forcing or restricting movement; lifting or moving by grasping clothing; covering a child's head.
    - 2. Isolating a child in an adjacent room, hallway, closet, darkened area, play area, or any other area where the child cannot be seen or supervised.
    - 3. Binding, tying or restrict movement, or taping the mouth;
    - 4. Using or withholding food or beverages as a punishment;
    - 5. Toilet learning/training methods that punish, demean, or humiliate a child;
    - 6. Any form of emotional abuse, including rejecting, terrorizing, extended ignoring, isolating, or corrupting a child;
    - 7. Any abuse or maltreatment of a child;
    - 8. Abusive, profane, or sarcastic language or verbal abuse, threats, or derogatory remarks in front of the child or about the child or child's family.
  - G. Positive techniques are used to guide the behavior of children by setting appropriate limits and encouraging children to choose positive behaviors.

## 3 Physical Environment

Children are much more susceptible to the adverse effects of environmental factors, materials and toxicants. It is imperative that the child care environment is conducive to the healthy development of children.

### 3.1 General Health and Safety Requirements

- A. All school-age program facilities must be clean, in good repair, and free from health and safety hazards and vermin. During the hours that the program is in operation, no portion of the building can be used for any activity that presents a risk to the health and safety of the children. Indoor and outdoor play areas must be inspected daily for basic health and safety and documented on a daily inspection log. Any problems must

be corrected before the play area is used by children. Documentation must be maintained for 12 months.

- B. It is the responsibility of the director/owner to ensure that all areas and equipment of the facility are free from fire hazards, such as lint and dust build-up in heating and air vents, filters, exhaust fans, ceiling fans and dryer vents. This includes grease build-up in ovens, stoves and food equipment.
- C. Animals must be properly vaccinated (if a vaccination is available for the specific animal), free from disease, and clean. Animals that are poisonous, venomous, aggressive, or pose a potential threat of harm to children in care are prohibited. Parents must be informed in writing of all animals on the premises. Notice may be provided by a conspicuously posted notice or bulletin, policy handbook, parent flier, or a statement included on the enrollment form. Current vaccinations records must be available for review by the licensing authority. No animal may freely roam the indoor/outdoor premises. Animals are prohibited in areas where food is prepared or served. If animals or birds are kept in classrooms, cages must be kept away from the food storage area and preparation or service area and kept clean.
- D. Pursuant to Chapter 386.204, F.S., smoking is prohibited within the school-age child care facility, and in vehicles when being used to transport children. Smoking is prohibited in all outdoor areas, including on field trips, while children are in care. Owners/operators are to notify custodial parents and legal guardians, in writing, that smoking, including e-cigarettes and vaping, is prohibited on the premises of the child care facility.
- E. Design and construction of a new child care facility or modifications to an existing facility must meet the requirements of the applicable local governing body. The facility must provide current written approval from the local governing body to verify compliance with building requirements, which include construction of a new building; renovation of an older building; or after a natural disaster to properly evaluate and where necessary, remediate or avoid sites where's children's health could be compromised. The written approval must include assessments of:
  - 1. Potential air, soil, and water contamination on facility site and outdoor play areas;
  - 2. Potential toxic or hazardous materials in building construction, such as lead and asbestos; and
  - 3. Potential safety hazards in the community surrounding the site.
- F. Cleaning must not take place while rooms are occupied by children except for general clean-up activities that are part of the daily routine. General cleaning refers to cleaning necessary to maintain a sanitary environment but that does not pose a hazard to children, such as wiping the table after snack or sweeping. This does not include cleaning with hazardous materials or any cleaning which poses a risk of slipping or falling.
- G. Pest control must not take place while rooms are occupied by children. Child Care providers must adopt an integrated pest management program to ensure long-term, environmentally sound pest suppression through a range of practices including pest exclusion, sanitation and clutter control, and elimination of conditions that are conducive to pest infestations.
- H. All accessible electrical outlets must be "tamper-resistant electrical outlets" that contain internal shutter mechanisms to prevent children from sticking objects into receptacles. In settings that do not have "tamper-resistant electrical outlets," outlets shall have safety covers.
- I. No electrical device or apparatus accessible to children shall be located in a place

where it can be plugged into an electrical outlet while a person is in contact with a water source, such as a sink, tub, shower area, water table, or swimming pool.

- J. Carbon monoxide detector(s) must be installed if required by s.553.885(1), F.S., or local laws. Carbon monoxide detectors must be tested and maintained according to manufacturer's instructions. Documentation of testing and maintenance must be retained for a minimum of 12 months and available for licensing to review.

### **3.2 Toxic/Hazardous Material/Firearms/Weapons**

- A. All areas and surfaces accessible to children must be free from toxic substances, biocontaminants, and hazardous materials/equipment/tools, including power tools, matches, candles, lighters, etc.
- B. All potentially harmful items, including cleaning supplies, flammable products, poisonous, toxic, and hazardous materials, must be labeled and used according to manufacturer's recommendation. These items, as well as knives, sharp tools, and other potentially dangerous hazards, must be stored in a locked area or must be inaccessible and out of a child's reach at all times.
- C. Firearms and weapons, as defined in section 790.001, F.S., are prohibited within any building or upon any person located on the premises, excluding federal, state or local law enforcement officers.
- D. Narcotics, alcohol or other impairing drugs/paraphernalia must not be present on the premises or in vehicles used by the school-age child care facility.

### **3.3 Rooms Occupied by Children**

#### **3.3.1 Lighting**

- A. All areas of the facility must have lighting that provides adequate illumination and comfort for facility activities, a minimum of 20 foot-candles of lighting is required.
- B. For reading, homework, painting and other close work areas, 50 foot-candles at the work surface is required.

#### **3.3.2 Windows and Screens**

When the windows or doors are open, for more than entering/exiting purposes, all buildings must have and maintain screens to prevent entrance of any insects or rodents. Screens are not required for open-air classrooms and picnic areas.

#### **3.3.3 Temperature and Ventilation**

- A. An inside temperature of 65 to 82 degrees Fahrenheit must be maintained at all times.
- B. Adequate ventilation must be maintained in all areas of the facility, in particular in those areas where arts and crafts are conducted, and during any cleaning, sanitizing or disinfecting procedure, to prevent children and child care personnel from inhaling harmful or potentially toxic fumes.

## 3.4 Licensed Capacity

### 3.4.1 Licensed Capacity

- A. The capacity, as calculated by the licensing authority for each room, must be posted in a conspicuous location within the room.
- B. The licensed capacity of a child care provider is determined by the following factors:
  - 1. Indoor floor space
  - 2. Outdoor square footage
  - 3. Sewer/septic capacity (as determined by Environmental Health)
  - 4. Number of toilets/wash basins
- C. Licensed capacity is determined by the most restrictive of these factors.
- D. The total number of children in care on-site and on field trips may never exceed the facility's licensed capacity.

### 3.4.2 Indoor Square Footage/Usable Floor Space

- A. Usable indoor floor space refers to space that is at all times under the exclusive control of the program and available for indoor play, classroom, work area, or rest area while children are in care.
- B. To determine overall facility capacity, usable indoor floor space is calculated by measuring at floor level from interior walls and by deleting space for stairways, toilets and bath facilities, permanent fixtures and non-movable furniture. Kitchens and designated food preparation areas, offices, laundry rooms, storage areas, hallways, and other areas not normally used or accessible to the children in daily operations are not included when calculating usable indoor floor space to determine total facility capacity.
- C. Each room routinely used as a classroom must provide the minimum 35 square footage of usable indoor floor space per child. A school-age child care program that held a valid license on October 1, 1992, must have a minimum of 20 square feet of usable indoor floor space for each child. This standard applies as long as the child care facility remains licensed at the site occupied on October 1, 1992, and shall not be affected by any change in the ownership of the site.
- D. Shelves or storage for toys and other materials will be considered as usable indoor floor space if accessible to children.
- E. A school-age child care program may request permission from the licensing authority to operate under an exception to usable indoor floor space. The written request must include an explanation of why the exception is necessary (for example, the program has a large outdoor play area with pavillions and a court yard that is being used interchangeably with the limited classroom space indoors for homework and art center. Additionally, this space can be used during inclement weather).
- F. During sedentary activities, room capacity may be reduced to 20 square feet per child.
- G. The program environment must provide dedicated, usable safe space for all activities during hours of operation.
- H. The space must be arranged to be conducive for simultaneous social, recreational and educational activities.
- I. There must be adequate and convenient storage space for equipment,

materials and the personal possessions of children.

### **3.4.3 Multipurpose Rooms**

- A. Space that is at all times under the exclusive control of the program and used as a common dining area or for large group assemblies/activities for the program is included in the usable indoor floor space for purposes of determining overall facility capacity.
- B. Such common area (i.e., multiple purpose rooms or dining rooms) square footage may not be counted in such a manner as to expand the capacity of other individual rooms in the facility. Square footage per child and room capacity is determined on a room-by-room basis. While a common area is being used for dining or specific large group assemblies/activities (special events), the applicable 20- or 35-square-foot requirement of usable indoor floor space would not apply, although supervision and ratios must still be maintained. This means that for special events, the overall room capacity may be greater than it would be under normal use; however, the facility must maintain minimum square footage per child in accordance with the local fire authority requirements. Common area square footage may not be counted toward the facility's overall capacity unless the space is used regularly and other classroom capacity requirements are not exceeded.
- C. Each room routinely used as a classroom must provide at least the minimum square footage of usable indoor floor space per child.

### **3.4.4 Outdoor Square Footage**

The play area must be sufficient and safe to allow freedom of movement without collisions among active children. Children benefit from being outside as much as possible, and it is important to provide sufficient outdoor space to accommodate them.

- A. There must be a minimum of 45 square feet of usable, safe and sanitary outdoor play area per each school-age child. At a minimum, the outside play area must be able to accommodate one-half of the licensed capacity of the program.
- B. Based on the outdoor square footage, the total number of children using the play area may not exceed the outdoor capacity.
- C. A school-age child care program may request in writing permission from the licensing authority to operate under an exception to the minimum outdoor square footage requirement. The written request must include an explanation of why the exception is necessary, as well as an alternate plan for inclusion of fine and gross motor skills opportunities and an alternate plan to accommodate instances of bad weather. (For example: a program is located in an industrial park where there is limited green space. However, indoors there is a gymnasium available for use by the children for gross motor activities.)
- D. For Indoor Recreational Facilities or facilities that provide only evening child care, outdoor play space is not required provided an open area within the existing indoor space is designated and available for play that promotes the development of gross motor skills.

### 3.5 Outdoor Play Area

- A. The outdoor play area must be clean and free from litter, nails, glass and other hazards. The outdoor play area must be designed to allow personnel to clearly see children while playing on all equipment.
- B. The outdoor play area must have a shaded area for children. Shading may be provided by trees, buildings or shade structures.
- C. Metal and dark colored surfaces on equipment that children come into direct contact with, such as platforms and sliding boards, may not be utilized when in direct sunlight.
- D. During outdoor play, child care personnel must also be in the outdoor play area so that all children can be observed and direct supervision can be provided. The outdoor play area should be arranged so all areas are visible to the personnel and easily supervised at all times.
- E. The facility's outdoor play area must be fenced as required by local ordinances to prevent access by children to all water hazards within or adjacent to outdoor play areas, such as pools, ditches, retention ponds and fish ponds.
- F. The outdoor play area must have adequate fencing or walls a minimum of 4 feet in height. Fencing, including gates, must be continuous and must not have gaps or openings larger than 3 ½ inches that would allow children to exit the outdoor play area. The base of the fence must remain at ground level, and be free from erosion or build-up to prevent inside or outside access by children or animals. These areas must have at least two exits, with at least one being remote from the buildings. If an outdoor play area was approved for usage by the Department prior to October 25, 2017, no new exits are required to be added to meet this standard. However, if outdoor play area fencing is changed then the standard would apply and two exits must be provided.
- G. The school-age child care program may operate without a fence if all of the following provisions are met:
  - 1. In addition to the established staff-to-child ratios, for the purpose of safety, an additional child care personnel is present at all times during outdoor activities, to assist in providing direct supervision;
  - 2. The outdoor play area if bordered by a road or street open to travel by the public shall have a posted or unposted speed limit of no more than 25 miles per hour, or where the posted or unposted speed limit is no greater than 35 miles per hour and the playground is a minimum of 30 feet from the edge of the road; and
  - 3. The licensing authority has provided written authorization to the program to operate without a fence.

### 3.6 Rest Area

- A. For the purposes of this standard, sleeping refers to the normal night-time sleep cycle, while napping refers to a brief period of rest during daylight or early evening hours.
- B. Nap bedding is not required for all school-age children in care; however, each school-age child care program must include a designated area where each child can sit quietly or lie down to rest or nap for those children choosing to rest. Nap bedding includes sleep bedding, cots, or floor mats. Air and foam mattresses are prohibited.
- C. Sleep bedding is required if the school-age child care program provides evening



overnight care for children. Sleep bedding must be a bed, cot or mattress (excluding an air mattress or a foam mattress).

- D. All bedding provided must be safe and sanitary, appropriate for the child's size, stored in a sanitary manner when not in use, and thoroughly cleaned and sanitized before use by another child.
- E. If children are sleeping overnight in the program facility, program child care personnel must ensure accepted bedtime routines are practiced, such as brushing teeth and washing face and hands.
  - 1. Toothbrushes, towels, and wash cloths may not be shared.
  - 2. Toothbrushes must be stored so that they cannot touch each other.

### **3.7 Restrooms and Bath Facilities**

- A. Each school-age child care program must provide and maintain bathroom facilities that are easily accessible and at a height usable by the children. Platforms are acceptable when safely constructed, with impervious surfaces that can be easily cleaned and sanitized or disinfected.
- B. Facilities must have a sufficient number of toilets and sinks for the number of children being served. For facilities having from one to 15 children, there must be at least one toilet and one sink. There shall be at least one additional toilet and sink for every 30 children thereafter. For design and construction of a new child care facility or modification to an existing facility, the program must submit copies of permits obtained to do the work or proof that the permit was satisfied according to the city/county local jurisdiction.
- C. Bathrooms shall not open directly into an area where food is prepared. A toilet facility may open directly into an area used by children where food is served, such as into a classroom where tables/chairs have multiple uses.
- D. Running water, soap, trash receptacles, toilet paper, and disposable towels or hand-drying machines that are properly installed and maintained must be available and within reach of children using the bathroom.
- E. Each sink and toilet must be maintained in good operating condition, cleaned and sanitized or disinfected as needed, but at least once per day. Sinks utilized for teeth brushing activities/procedures by the children must be sanitized prior to the activity occurring.
- F. Every facility must have at least one portable or permanent bath facility available for bathing children. The bath facility must be in good operation, clean and must be sanitized or disinfected after each use.

### **3.8 Fire Safety and Emergency Preparedness**

To ensure the safety of children in care, facilities are required to receive yearly fire inspections by a certified fire inspector and they must perform monthly drills/exercises to practice fire, inclement weather and lockdown procedures. Frequent practice of emergency procedures will facilitate a calm and competent reaction in response to an actual emergency, should it occur.

#### **3.8.1 Operable Phone**

There must be at least one operable corded telephone that is neither locked nor located at a pay station that is available to all child care personnel at all times during the hours of operation.



### **3.8.2 Fire Safety**

- A. Unless statutorily exempted, all school-age child care programs must conform to state standards adopted by the State Fire Marshal, Chapter 69A-36, F.A.C., Uniform Fire Safety Standards for Nonresidential Child Care Facilities, and must be inspected annually. A copy of the current and approved annual fire inspection report by a certified fire inspector must be on file with the licensing authority. If the program is granted a fire inspection exemption by the local fire inspection office, the exemption must be documented and maintained on file at the program.
- B. Fire extinguishers with a minimum rating of 2A:10BC must properly installed, serviced, and maintained with current inspection tags at all times.
- C. Travel distance to the nearest extinguisher must not be more than 75 feet from rooms occupied by children. A fire extinguisher must be present in vehicles used to transport children and areas where food is prepared.
- D. Automatic range-top fire suppression systems are required in the kitchen for facilities that deep fry food. Suppression hood systems must be maintained and inspected by a certified food inspector. A copy of the current and approved annual inspection noting compliance with the Florida Fire Prevention Code as adopted in Chapter 69A-60, F.A.C., must be on file with the licensing authority.

### **3.8.3 Exit Area**

- A. Exits should be clearly identified and visible at all times during operation of the child care facility.
- B. The exits should be clearly marked, identifying the path to safety in case of an emergency. The exits should not be blocked at any time.

### **3.8.4 Fire Drills**

- A. During the facility's licensure year, fire drills utilizing the alarm system, approved by the local fire authority, must be conducted monthly at various dates and times when children are in care.
- B. When the facility's approved fire alarm system is activated or initiated, all adults and children must evacuate the facility.
- C. A current attendance record and parent contact information must accompany child care personnel out of the building during a drill or actual evacuation and be used to account for all children. When the facility's approved alarm system is activated, all adults and children must evacuate the facility. The operator must maintain a written record of the fire drills showing the date, number of children and child care personnel in attendance, evacuation route used, and time taken for all individuals to evacuate the premises. Each fire drill record must be maintained for a minimum of 12 months from the date of the fire drill. The fire drills conducted must include, at a minimum:
  - 1. One fire drill using an alternate evacuation route, and
  - 2. One drill in the presence of and at the request of the licensing authority in coordination with the operator or designee.

### **3.8.5 Emergency Preparedness**

- A. The operator must develop a written emergency preparedness plan that includes, at a minimum, procedures to be taken by the facility during a fire,

evacuation, relocation, shelter in place, lockdown and inclement weather (for example: hurricanes, tropical storms or tornadoes), and to facilitate parent/guardian reunification onsite and offsite. The plan must describe how the facility will notify and update parents/guardians, as well as, meet the needs of all children, including children with special needs or chronic medical conditions, during and following an emergency event.

- B. Lockdown and inclement weather drills must be conducted when children are in care. Lockdown or inclement weather drills shall be practiced a minimum of one time per operating year when children are in care. A lockdown or inclement weather drill may substitute for one monthly fire drill. No more than three fire drills may be substituted for during a 12 month period. Documentation of this substitution must be maintained for 12 months. A current attendance record and emergency contact information must accompany child care personnel during the drill or actual emergency and must be used to account for all children. Daily classroom attendance rosters must be used to account for all children once gathered in a safe space after exit and upon return to the program.
- C. The operator must maintain and post in an easily seen location a written record of emergency preparedness drills showing the type of drill, date conducted, number of children and child care personnel in attendance, and time taken for all individuals to complete the drill.
- D. Documentation of conducted fire and emergency preparedness drills must be available at the time of inspection. Documentation produced after the inspection will not be used to meet the licensing standard or corrective action requirements.
- E. The operator must prepare and post an emergency evacuation plan in each room of the facility, excluding restrooms, including a diagram of safe routes by which the personnel and children may exit in the event of fire or other emergency requiring evacuation.
- F. A facility that chooses to operate using an alternate power source, such as a generator, must have the power source permanently installed and maintained in accordance with the manufacturer's recommendations and comply with the Florida Building Code and the Florida Fire Prevention Code 69A-60, F.A.C. The alternate power source and fuel supply shall be located in an area that is not subject to flooding or damage from storm surge. Additionally, if the generator is gas powered, the facility must install and maintain a carbon monoxide detector.

#### **3.8.6 After a Fire, Man-made, or Natural Disaster**

After a fire or natural disaster, the operator must notify the licensing authority within 24 hours of operational status in order for the licensing authority to ensure health standards are being met for continued operation.

#### **3.8.7 Emergency Procedures**

Facilities must have a procedure for responding to situations when an immediate emergency response is required. A contingency plan for emergency or disaster situations need to be in place when it may not be possible to follow standard

emergency procedures. Emergency procedures must be posted and readily available. All child care personnel must be trained to manage in an emergency.

A. The facility must have a written plan for reporting and managing any incident or unusual occurrence that is threatening to the health, safety, or welfare of the children or child care personnel to the licensing authority. The following types of incidents must be addressed:

1. Lost or missing child;
2. Suspected maltreatment of a child;
3. Injuries or illness requiring hospitalization or emergency treatment;
4. Death of child or child care personnel;
5. Presence of a threatening individual who attempts or succeeds in gaining entrance to the facility.

## 3.9 Food Preparation/Food Service

### 3.9.1 Food Preparation Area

A food preparation area is a designated room, such as a kitchen, or a designated space in a facility not normally used or accessible to the children in daily operations for indoor play, classroom, work or nap spaces, and not included when calculating usable indoor floor space.

A. A food preparation area is required for facilities that choose to prepare food in a manner consistent with the definition of “preparation of food”. Specific requirements for the food preparation area include:

1. Ventilation provided either by mechanical or natural means to provide fresh air and control of unpleasant odors, such as a fan, vent or open window with a screen.
2. Smooth, nonabsorbent food contact surfaces with no unsealed cracks or seams. Food-contact surfaces are surfaces of equipment, countertops, utensils, etc., that food comes into contact with during food preparation.
3. Food equipment maintained and stored in a sanitary manner and out of the reach of children.
4. Shielded lighting.
5. Nonabsorbent and easily-cleaned flooring and floor covering.
6. Easily cleanable or replaceable ceiling in the event of water and other damage, mildew, or mold.
7. A separate hand washing station with hot running water a minimum of 100 degrees Fahrenheit. A hand washing station must include a sink with running water and drainage, soap, trash can, and disposable towels or hand-drying machines that are properly installed and maintained. A handwashing sink shall not be used for any purpose other than handwashing. Hand washing stations must include posted signs visible to child care personnel and children, demonstrating proper hand washing technique. Portable sinks may not be used for dishwashing or food preparation. If a portable sink is used for hand washing in the food preparation area, hot water must be provided.
8. Leak-proof, nonabsorbent containers covered with a tight-fitting lid for all

food waste stored inside the facility. The container must be emptied, cleaned and sanitized or disinfected daily.

9. A food preparation area clean and free of dust, dirt, food particles and grease deposits.
- B. Child care personnel while working in the food preparation area, must wear proper head covering, such as a hair net or hat. To prevent contact with ready-to-eat foods, child care personnel must use clean disposable gloves, utensils, or similar items in the food preparation area.
- C. For safety, children must not be present in the food preparation area when meals and snacks are prepared unless while being supervised or participating in a cooking activity.

### **3.9.2 Food Storage**

Proper storage of food is essential to prevent food contamination, as well as, insect and rodent infestation. Correct handling and storage of all food is a key component in preventing food-borne illnesses. To prevent bacteria growth, cold food must be kept at or below 41 degrees Fahrenheit and hot foods at or above 135 degrees Fahrenheit.

Facilities choosing to prepare food must have a designated space for food storage within the designated food preparation area or in a room not calculated as part of indoor floor space, and not in bathroom facilities. Off-site food storage is permissible only if the site of storage is a licensed child care facility under the same ownership that includes a food preparation area that meets licensing standards.

- A. Food containers, such as cans, plastic containers, boxes, and bags, must be stored above the floor on clean surfaces protected from splash and other contamination.
- B. Food must be consumed or discarded on or before the expiration dates listed by the manufacturer.
- C. Poisonous/toxic chemicals or cleaning products must be stored separately from food. Products must not be stored on shelves above food preparation areas and/or food products intended for human consumption, unless placed in bins that are impermeable.
- D. Opened packages of perishable or leftover food items must be properly covered or sealed in containers or bags, labeled with the date, and properly stored and discarded within seven calendar days.
- E. Opened packages of dried goods must be properly covered/sealed, properly stored, and discarded according to the manufacturer's recommended date or if the quality of the goods has been compromised.
- F. Refrigerators/freezers:
  1. An accurate thermometer designed to measure cold storage temperature must be placed inside each refrigeration and freezer unit. Thermometers in refrigerators must show a reading of 41 degrees Fahrenheit or below, and thermometers in freezers must show a reading of 0 degrees Fahrenheit or below. The thermometer must be located in the center of the unit and be readily accessible. Thermometer temperature readings higher than specified above require further temperature testing of food samples stored in the unit using a probe type thermometer; and adjustments to the unit setting to reach and maintain the required readings.

2. Food may be frozen prior to the expiration date, but when thawed, it must be labeled with the date it was removed from the freezer and discarded within seven calendar days.
3. Frozen food must be labeled by date and type noted below and stored according to the following table:

<b>Food Item</b>	<b>Months</b>
Bacon and sausage	1 to 2 months
Casseroles	2 to 3 months
Frozen dinner and entrees	3 to 4 months
Ham, hot dogs, lunchmeats	1 to 2 months
Meat, uncooked	4 to 12 months
Meat, uncooked ground	3 to 4 months
Meat, cooked	2 to 3 months
Poultry, cooked	4 months
Soups and stews	2 to 3 months

### 3.9.3 Food Safety

Handling of food in a safe and careful manner prevents the spread of bacteria, viruses and fungi. Outbreaks of food borne illnesses have occurred in many settings, including child care facilities. Meals and snacks must contain, at a minimum, the meal and snack patterns shown for school-age children in the Child Care Food Program Meal Pattern for Children (CCFP), incorporated by reference in 65C-22.001(7)(r), F.A.C. and may found at <http://www.floridahealth.gov/programs-and-services/childrens-health/child-care-food-program/nutrition/documents/meal-pattern-for-children-9-16.pdf>.<sup>1</sup>

- A. Children are at a high risk for contracting food-borne illness, as their bodies are in the process of growing, developing, and building adequate immune systems to fight illness. While some food-borne illnesses originate at farms or food manufacturing plants, the majority are the result of poor food handling practices.
- B. If a school-age child care program provides food to children in care, it must provide nutritious meals and snacks of a quantity and quality to help meet the daily nutritional needs of the children. The USDA My Plate, is to be used to determine which food groups to serve at each meal or snack and the serving size of the selected foods for children ages 2 and older. Copies of the USDA My Plate dieting guidelines, incorporated by reference in 65C-22.001(7)(t), F.A.C., may be obtained from the USDA website at <http://www.choosemyplate.gov>.
- C. If a facility chooses to provide food to children directly or by contract with an outside source such as a caterer, the food must be free from spoilage and contamination and safe for human consumption and must be stored and handled in a sanitary manner at all times. The facility must have adequate

equipment available to maintain food safety.

1. Meat, poultry, fish, dairy products, and processed foods must have been inspected under the United States Department of Agriculture requirements.
2. No raw milk or unpasteurized juice may be served without the written consent of the parent or legal guardian.
3. No home-canned food may be served.
4. No homegrown eggs may be served.
5. No recalled food products may be served.
6. All raw fruits and vegetables must be washed thoroughly before being served or cooked.
7. To prevent food from becoming potentially hazardous, hot foods must be maintained at a temperature of 135 degrees Fahrenheit or above, and cold foods must be maintained in accordance with section 3.9.2.
8. Foods that comprise meals included on a facility's menu may not be prepared or partially prepared outside of the facility unless prepared by a caterer or a licensed child care facility under the same ownership that includes a food preparation area that meets licensing standards.
9. Food must be thoroughly cooked and/or reheated according to the following table:

<b>Food</b>	<b>Minimum Internal Temperature</b>
Fruits, Vegetables, Grains, and Legumes	135° F
Roasts (Fresh Beef, Pork and Lamb)	145° F (with a 3-minute rest time)
Fish	145° F
Eggs	Cook until yolk and white are firm
Egg dishes	160° F
Ground meats (beef, pork, and lamb) and fresh ham (raw)	160° F
Poultry – whole, parts, or ground	165° F
Leftovers	165° F
Foods cooked in microwave	165° F
Sauces, gravy, soups, casseroles	165° F

- D. If a facility chooses to provide or make available food to children in care from an outside source, such as a caterer, or as the result of a learning activity provided by a child care program, such as a garden, it is the responsibility of the provider to ensure all food intended for consumption by a child in care is free from spoilage and contamination and safe for human consumption.
  1. Food Acceptance Log. A log must be maintained for all prepared meals being catered into the facility. The log must be retained for a minimum of 12 months. The log must include the date, time of arrival, quantity and types of food, verification by the recipient of condition of the food, verification by the recipient of adequate temperatures of food, and the name and signature of the recipient. The facility shall not accept food that is not at the appropriate holding temperature.

2. If food delivered by a caterer does not meet licensing standards, the facility must have an alternate plan for meals.
  3. Parents and legal guardians must be advised in advance of each food-related activity, such as special occasions and learning activities that include food consumption. Written parental permission may be obtained in the form of a general or specific permission slip. Documentation of parent permission for food activities must be maintained for a minimum of 12 months from the date of each activity.
- E. If a school-age child care program chooses not to provide meals and snacks, arrangements must be made with the custodial parent or legal guardian to provide nutritional food for the child. In the event that a child's parent fails to provide nutritious meals/snacks, the program must provide supplemental food items to complete the child's meal.
- F. If a special diet is required for a child by a physician, a copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet must be maintained in the child's file and followed. If the custodial parent or legal guardian notifies the program of any known food allergies, written documentation must be maintained in the child's file for as long as the child is in care. Special food restrictions must be shared with child care personnel and must be posted in an easily seen location that is not readily visible by parents or non-child care personnel.
- G. Meal and snack menus must be planned, written, dated, and posted at the beginning of each week in an easily seen place accessible to parents. Any menu substitution must be noted on the menu. A generalized menu of possible snack choices for programs that receive food donations is acceptable. All meals and snacks prepared outside of the facility's kitchen or designated food preparation area, such as catered food, must be listed along with the source. Daily meal and snack menus must be maintained for a minimum of 12 months for licensing purposes. Operators who participate in the USDA Food Program must keep menus in accordance with the Department of Health and USDA requirements.

#### **3.9.4 Dishwashing and Sanitization**

For facilities that prepare food, non-disposable food equipment, tableware, and utensils utilized for food preparation and food consumption must be properly cleaned by pre-rinsing or scraping, washing, rinsing, sanitizing, and air drying. If the school-age child care facility lacks adequate dishwashing and sanitation described in this section for dishes, equipment, and utensils, only disposable single-use items may be used. All single service items must be discarded after each use. Food equipment, tableware and utensils used to prepare food must be washed and sanitized on-site, except when a caterer is used, and the caterer is responsible for dishwashing as evidenced by a written agreement. Dishwashing and sanitization must be accomplished by one of the following:

- A. A dishwasher with a sanitizing cycle.
1. The dishwasher must use heat or chemical injection for sanitization.
  2. If chemical sanitization is used, the wash water temperature must be set at a minimum of 120 degrees Fahrenheit, and the rinse water must be a minimum of 75 degrees Fahrenheit. If the dishwasher does not have a built-in thermometer to display the temperature of



- each cycle, a thermometer or thermometer test strips must be available to determine the rinse cycle temperature.
3. Automatic sanitizing dispenser must be properly installed and maintained.
  4. A test kit or other device that accurately measures the concentration of the sanitizing solution must be available and used to confirm appropriate concentration of solution during one full cycle per day.
  5. If hot water is used for sanitization, the dishwasher must achieve a temperature of 160 degrees Fahrenheit on the surface of equipment/dishes/utensils being washed. If the dishwasher does not have a built-in thermometer to display the temperature of each cycle, a thermometer or thermometer test strips must be available to determine the rinse cycle temperature.
  6. The facility must have a means for measuring the required temperature either by an irreversible registering temperature indicator (heat strip) or an external temperature display built into the machine.
- B. An installed three-compartment sink or an installed two-compartment sink with a non-stationary or portable compartment receptacle.
1. Installed compartment sinks may be used to wash produce and to fill cooking pots and pans with water when not in use for dishwashing.
  2. Sinks must be sanitized before and after each use.
  3. The first compartment must be used for washing; the second compartment must be used for rinsing; and the third compartment must be used for sanitizing.
  4. If only an installed two-compartment sink is available, the second compartment must be used for rinsing and a non-stationary or portable compartment receptacle must be available and used to sanitize.
- C. Chemical sanitization.
1. If chemical sanitization is used, an exposure time of at least 7 seconds is required for a chlorine solution of 50 mg/L that has a pH of 10 or less and a temperature of at least 75 degrees Fahrenheit.
  2. If other sanitizers are used, the manufacturer instructions must be strictly followed.
  3. A test kit or other device that accurately measures the concentration of the sanitizing solution must be available and used to confirm appropriate concentration of solution during each use.
- D. Hot water sanitization.
1. If hot water is used for sanitizing, equipment/dishes/utensils must be immersed for a period of at least one-half minute in hot water at a temperature of 170 degrees Fahrenheit or above. A thermometer designed to measure the water temperature must be available and used to confirm the appropriate temperature of the hot water during each use.



### **3.9.5 Food handling**

- A. Milk (including cow, soy, and other forms) and food that is normally maintained under refrigeration must not sit out of refrigeration for longer than 15 minutes prior to the beginning of the meal.
- B. Child care personnel, while distributing snacks or serving food, must use clean disposable gloves, utensils and similar items to prevent skin contact with food.
- C. Food provided by parents must be stored and handled in a sanitary manner at all times. If food is supposed to be kept cold, the food must be stored in accordance with section 3.9.2 until eaten, or parents must include ice packs to keep food they provide cold.
- D. Hot food served to the children must be kept at the appropriate temperature in accordance with section 3.9.3 until plated and served to the children. Excessively hot food must have a cool down period not to exceed a 15 minute timeframe and must be at a temperature greater than 110 degrees Fahrenheit to avoid danger of scalding.

### **3.9.6 Drinking Water**

Clean, sanitary drinking water shall be readily accessible in indoor and outdoor areas, throughout the day. If disposable cups are used, they must be discarded after each use. For the purposes of providing clean, sanitary drinking water, sink/water fountain combinations are prohibited if the handwashing sink is used for hygiene procedures after toileting.

## **3.10 Sanitation**

### **3.10.1 Handwashing**

Child care personnel and children must wash their hands with soap and running water, dry thoroughly and follow personal hygiene procedures for themselves and while assisting others. Examples of activities when hand washing is required include but are not limited to: before and after eating, immediately following outdoor play, after toileting, following the use of any cleaners or toxic chemicals, before and after administering medication, and during food preparation and snack distribution.

- A. Child care personnel and children must follow the Centers for Disease Control guidelines for hand washing incorporated by reference in 65C-22.001(7)(u), F.A.C.
- B. The use of hand sanitizers does not substitute for hand washing. However, in areas away from the facility where no running water is available, hand sanitizers may be used. Examples of such places are field trips, nature trails or picnic areas where running water is not readily available.
- C. Child care personnel with open wounds and/or any injury that inhibits hand washing, such as casts, bandages, or braces, must not prepare food.
- D. Situations or times that children and child care personnel must perform hand hygiene must be posted in all food preparation and toileting areas.

### 3.11 Indoor Equipment

Equipment, materials, furnishings and play areas should be sturdy, safe and in good repair. Provider should monitor the Consumer Product Safety Commission (CPSC) recommendations for use of equipment. Walls, ceilings, floors, furnishings, equipment, toys, and other surfaces should be suitable to the location and the users. They should be maintained in good repair, free from visible soil and clean. Equipment and furnishings must be arranged to allow direct supervision of children by child care personnel from all areas within a room/play area. Bookshelves, televisions, and other heavy furnishings must be stable and secured as to not pose a threat of falling over. In efforts to prevent children from climbing to dangerous heights or enabling them to reach hazardous items, chairs and other furnishings must be placed away from cabinets and shelves. The program should make reasonable accommodations to the program environment and schedule so that children with special needs may participate.

- A. A school-age child care program must make available enough toys, equipment and furnishings suitable to each child's age and development for each child to be involved in activities. These items must be accessible and in good working order.
- B. Toys, equipment and furnishings must be safe and maintained in a sanitary condition, and must be cleaned and sanitized or disinfected immediately if exposed to bodily fluids, such as saliva. Facilities must have a written routine schedule for cleaning, sanitizing and disinfecting equipment, materials, furnishings and play areas. This schedule must include items to be cleaned, sanitized or disinfected on a daily or weekly basis. Daily indoor equipment items include but are not limited to: counter/table tops, toys, drinking fountains, floors, toilets, and sinks. Weekly indoor equipment items include, but are not limited to: games pieces, manipulatives, play activity centers, dress-up clothes, and shared headphones.
- C. Facilities must provide age-appropriate seating at meal and snack time for all children.
- D. Moveable or non-stationary indoor climbing structures require padding for landing. Permanent or stationary playground equipment installed indoors must meet the same requirements for installation and use as outlined in the Outdoor Equipment section 3.12 B, C, D, E and F.

### 3.12 Outdoor Equipment

- A. A school-age child care program must provide and maintain enough usable equipment suitable to each child's age and development and of a quantity for each to be involved in activities.
- B. All playground equipment must be securely anchored, unless portable or stationary by design, in good repair, maintained in safe condition, and placed to ensure safe use by the children. Maintenance must include inspections conducted every month of all supports above and below the ground and of all connectors and moving parts. Documentation of maintenance inspections must be maintained for 12 months.
- C. Permanent or stationary playground equipment must have a fall/use zone. All types of ground cover must be maintained to provide resilience and reduce the incidence of injuries to children in the event of falls.
  - 1. If the ground cover in place is loose ground cover (such as, but not limited to: mulch, shredded rubber chips, or sand) a minimum of 6 inches in depth is required in the use zone. Asphalt, concrete, hard packed dirt, hay, grass or leaves are unsuitable for use in the use zone area.

2. If the ground cover in place is a unitary playground surface, then the unitary surfacing materials must be installed and maintained according to manufacturer's instructions. Unitary surfaces must be tested to and comply with ASTM F1292; documentation of test data must be retained at the facility and available for licensing to review.
  3. If the play area was approved by the Department prior to the adoption of this rule (June 12, 2019) and does not meet the 6-foot fall/use zone requirement, then the facility must submit a written request, including photographs and layout of the play area, to the Department within 90 days of the rule effective date requesting to continue to operate using the prior approved play area. However, if the permanent or stationary playground equipment is moved or replaced then the standard would apply, and 6 feet of use zone must be provided. Any new equipment added would be required to have the 6 feet of use zone in all directions from the perimeter of the equipment.
- D. Equipment used for climbing should not be placed over, or immediately next to, hard surfaces such as asphalt, concrete, dirt, grass, or flooring covered by carpet or gym mats not intended for use as surfacing for climbing equipment.
  - E. All equipment, fences and objects on the program's premises must be free from sharp, broken and jagged edges, and must be properly placed to prevent overcrowding or safety hazards in any one area.
  - F. All equipment used in the outdoor play area must be constructed and maintained according to manufacturer's recommendations, and allow for water drainage, and must be maintained in a safe and sanitary condition. Any open containers with water must be emptied immediately after use, i.e. pots, toys, or other equipment that collects water.
  - G. Sandboxes must be covered at the end of each day. The covering used must prevent access to the sandbox by animals.
  - H. Wading pools, including inflatable water slides with a landing area where water collects, are prohibited.
  - I. The provider shall maintain manufacturer's instructions on file electronically or in paper format for outdoor playground equipment purchased or installed on or after June 12, 2019.

## **4 Training Requirements**

Training requirements of this section do not apply to child care personnel who do not work directly with the children such as cooks, book keepers, and janitors who are considered "other personnel". If at any time "other personnel" fill in for classroom child care personnel and are in direct care of the children training is required.

### **4.1 Beginning Training**

Child care personnel must begin training within 90 days of employment and successfully complete the Department's training within 12 months from the date training begins. Training taken prior to employment in the child care industry does not constitute "begin training". The "begin training" timeframe begins at the time of employment in the child care industry. Training completion may not exceed 15 months from the date of employment in the child care industry in any licensed Florida child care facility. This may be accomplished by classroom attendance in a Department-approved training course, acquiring an educational exemption from a Department-approved training course, beginning a Department-approved online child care training course, or by receiving results

from a Department-approved competency examination. The child care program is responsible for obtaining training documentation from child care personnel.

## 4.2 Training Requirements

### 4.2.1 Mandated Introductory Training

Child care personnel, including volunteers that work 10 hours or more per month, must successfully complete 40 hours of child care training as evidenced by successful completion of competency examinations offered by the Department or its designated representative with a weighted score of 70 or better.

#### A. Part I Courses (28 hours)

School-Age child care personnel must complete all of the following:

- ✓ Child Care Facility Rules and Regulation (6 hours);
- ✓ Health, Safety, and Nutrition (8 hours);
- ✓ Identifying and Reporting Child Abuse and Neglect (4 hours);
- ✓ Understanding Developmentally Appropriate Practices (5 hours)
- ✓ School Age-Appropriate Practices (5 hours)

#### B. Part II Courses (12 hours)

The remaining 12 hours must be met by successfully completing one of the training options identified below:

- ✓ The Department's school-age specific training and the competency examination offered by the Department or its designated representative with a weighted score of 70 or better.
- ✓ Completion of specialized school-age training, provided by a vocational-technical center, community college, college or university, national organization or affiliates of a national organization, that requires demonstration of competencies through passage of examination(s), or completion and assessment of a Professional Resource File (portfolio of materials that demonstrate competency). Certificates must be uploaded to the Florida Pathways (Registry).
- ✓ School-age child care personnel with successful completion of introductory child care training for child care personnel as defined in s.402.305 (2), F.S., are considered in compliance with the school-age child care personnel training requirements.

### 4.2.2 First Aid and Cardiopulmonary Resuscitation (CPR)

- #### A.
- Each school-age child care program must have at least one child care personnel with a current and valid certificate(s) of course completion for first aid training and pediatric cardiopulmonary resuscitation (CPR) procedures. By June 12, 2021, at all times in each classroom/room/designated space, or outdoor area occupied by children, at least one of the child care personnel

assigned to provide direct supervision to that specific group must have current first aid training and pediatric cardiopulmonary resuscitation (CPR) certification. Documentation of first aid training and pediatric cardiopulmonary resuscitation (CPR) certification must be kept on file and available for licensing to review.

- B. One child care personnel satisfying these training requirements must be present at all times that children are in care at the facility, on field trips, which includes all activities away from the program, and during all transportation activities. In the event a group of children are away from the program on a field trip and other children remain at the facility, there must be one child care personnel satisfying these training requirements present at each location at all times, both on-site and on the field trip.
- C. Certificates of course completion are valid based on the time frames established by each first aid and CPR training program, not to exceed three years.
- D. CPR courses must include on-site, instructor-based skill assessments by a certified CPR instructor. Documentation of completion of the online course and on-site assessment must be maintained at the facility and available for review by the licensing authority.

#### **4.2.3 Fire Extinguisher Training**

All child care personnel shall be trained in the use and operation of a fire extinguisher, at each facility they are employed, within 30 days of date of hire. The facility must maintain documentation that all child care personnel have completed training.

#### **4.2.4 Transportation Training**

All child care personnel participating in the transportation of children must have training regarding guidance on safe transportation practices prior to participating in transportation of children. For child care personnel to satisfy this requirement the training must be accomplished through Department's Transportation Safety course or the Early Learning Florida's Precautions in Transporting Children course. Child care personnel working at a facility currently providing transportation must complete training within 90 days of the effective date of the rule. Documentation of training must be maintained on the training transcript in the child care personnel file.

#### **4.2.5 Annual In-Service Training**

Upon successful completion of the 40-hour introductory training requirements, child care personnel must complete a minimum of 10 clock-hours or one CEU of in-service training annually during the state's fiscal year beginning July 1 and ending June 30.

- A. The annual 10 clock-hours or one CEU of in-service training concentrating on children ages birth through 12 must be completed in one or more of the following areas (college-level courses will be accepted):
  - 1. Health and safety, including universal precautions, prevention of infectious

- ### 4.3 Break in Service

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new mandated training requirements established during the gap in employment in the child care industry.

- B. In the event an individual leaves the child care industry not in compliance with the training requirements described in this section, and returns to the industry either at the same or a different child care facility, prior to re-employment he or she must comply with the training requirements described in this section, in addition to any new mandated training requirements that may have been established during the gap in employment in the child care industry.

## 4.4 Training Exemptions

### 4.4.1 Literacy Training Exemption

School-age child care personnel are exempt from the training requirement of five clock hours of early literacy and language development of children from birth to 5 years of age.

### 4.4.2 Competency Examination Exemptions

Prior to attending training child care personnel have one opportunity, if they choose, to exempt from one or more of Department Introductory Child Care Training courses by successful completion of corresponding competency examination(s) with a weighted score of 70 or better.

### 4.4.3 Educational Exemptions

- A. The Department or its designated representative will exempt from the “Health, Safety and Nutrition”; “Child Growth and Development”; and “Behavioral Observation and Screening” courses those child care personnel who meet one of the following educational qualifications:
  - 1. Associate’s degree or higher with six college credit hours in the areas of early childhood education/child growth and development or degree in the area of elementary education with certification to teach any age birth through 6<sup>th</sup> grade.
  - 2. An active National Early Childhood Credential (NECC) or an active Birth Through Five Florida Child Care Professional Credential (FCCPC).
- B. The Department shall exempt child care personnel with a Bachelor’s degree or higher in the area of elementary education from the “Understanding the Developmentally Appropriate Practices” and “School-Age Appropriate Practices” course.
- C. The Department shall exempt child care personnel with a Bachelor’s degree or higher in the area of exceptional student education from the “Special Needs Appropriate Practices” course.

**There are no educational exemptions from the “Child Care Facility Rules and Regulations” and the “Identifying and Reporting Child Abuse and Neglect” courses.**

## 4.5 Documentation of Training

The Department’s training transcript will be the only acceptable verification of successful completion of the Department’s training and school-age training documentation.

- A. A copy of the Department’s training transcript may be obtained from the Department’s

- website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).
- B. A copy of the training transcript must be included in each child care personnel's record maintained at the school-age child care program.
  - C. School-age training documentation must be uploaded into the Florida Pathways (Registry), which may be accessed from the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).
  - D. Any course completion certificate not documented on the training transcript will be considered invalid, requiring that the course(s) be retaken. Until the coursework is retaken and completed, child care facilities will be out of compliance with the mandated training standard.

## 4.6 Staff Credential Exemption

School-age child care programs are exempt from the staff credential requirement.

## 4.7 Director Credential

Section 402.305(2)(f), F.S., requires a child care facility to have a credentialed director. Every applicant for a license to operate a child care facility or a license for a change of ownership of a child care facility must document that the facility director has an active Director Credential prior to issuance of the license.

An applicant for the Director Credential must meet the requirements referenced in CF-FSP Form 5290, Florida Child Care and Education Program Director Credential and Renewal Application, which is incorporated by reference in 65C-22.001(7)(k), F.A.C., and may be obtained from the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare). All applications and documentation will be verified and, if complete, the credential will be issued by the Department or designated representative on CF-FSP Form 5252, Florida Child Care and Education Program Director Credential Certificate, which is incorporated by reference in 65C-22.001(7)(g), F.A.C.

- A. Each school-age child care program must have a credentialed director that is on-site a majority of hours that the facility is in operation.
- B. CF-FSP Form 5252, Florida Child Care and Education Program Director Credential Certificate, must be maintained at the school-age child care program for review by the licensing authority. Florida Child Care and Education Program Director Credential Certificate is active for five years from the date of issuance.
- C. An individual with an inactive Director Credential is ineligible to be the director of a child care facility.
- D. School-age child care facility owners must notify the licensing authority within five working days of when the facility loses a credentialed director or when there is a change of director.
  - 1. The licensing authority will then issue a provisional license for a period not to exceed six months for any facility without a credentialed director.
  - 2. The provisional license will have an effective date of the first day the facility was without a credentialed director.
- E. An individual may not be the director of a child care facility and a school-age program that overlap in the hours of operation.
- F. Every applicant for a license to operate a child care facility or a license for a change of ownership of a child care facility must document that the facility director has an active Director Credential prior to issuance of the license.



#### **4.7.1 Director Credential Requirements for Before-School and/or After-School Sites Only**

- A. A credentialed director may supervise multiple before-school and after-school sites for a single organization as follows:
  - 1. Three sites regardless of the number of children enrolled, or
  - 2. More than three sites if the combined total number of children enrolled at the sites does not exceed 350. In calculating the total number of children enrolled, the number of children in the before- and after-school programs shall be calculated and viewed as separate programs.
  - 3. In counties where the public school district has included 4-year-old children in public before-school and after-school programs, the school district may participate in the multi-site supervision option. Public school districts that serve 4-year-old children in the before-school and after-school programs are required to have a credentialed staff person pursuant to the credentialing requirements in section 402.305(3), F.S., for every 20 children in a licensed child care facility one of the child care personnel must have a staff credential, in order to accommodate the 4-year-old children.
- B. When a credentialed director is supervising multiple sites, the individual left in charge of the site during the director's absence must meet the following requirements:
  - 1. Be at least 21 years of age;
  - 2. Have completed the approved 40 clock-hour Introductory Child Care Training" approved by the Department; and
  - 3. Have completed the Department's Part II specialized training course, "Special Needs Appropriate Practices" or completed a minimum of eight hours of in-service training in serving children with disabilities; or
  - 4. Have completed the Department's 10-hour "School-Age Appropriate Practices" specialized training module or the 5-hour "Understanding Developmentally Appropriate Practices" course and the 5-hour "School Age Appropriate Practices" course.

#### **4.7.2 Director Credential Renewal**

- A. To maintain an active Director Credential, complete the renewal section of the CF-FSP Form 5290, Florida Child Care and Education Program Director Credential and Renewal Application.
- B. A Director Credential renewal is active for five years from the date of issuance. The completed renewal application, including all required documentation, may be submitted to the Department for review and issuance of a Florida Child Care and Education Program Director Credential no earlier than one year prior to the end of the active period of the Director Credential. The Director Credential renewal date is determined by the end date of the active period.
- C. If a renewal application is received after the end of the active period for the Director Credential, the Florida Child Care and Education Program Director Credential and Renewal Application will be reviewed and, if approved, a certificate will be issued with a renewal date of five years from the date the completed renewal application was processed.

## 4.8 Training Providers

### 4.8.1 Part I and Part II Training Providers

Child care professionals approved to teach the Department's Child Care Training courses must meet, at a minimum, the following qualifications:

- A. Be at least 21 years of age.
- B. Have completed the Department's six clock hour Train-the-Trainer course.
- C. Have one of the following educational and experiential credentials verified by the Department or its designated representative:
  - 1. Four-year college degree or higher with six college credit hours in the areas of early childhood education/child growth and development, and 480 hours experience in a child care setting serving children ages birth through eight years. A Florida teaching certificate may be substituted for the 480 hours experience in a child care setting.
  - 2. Associate degree in the areas of early childhood education/child growth and development, and 480 hours experience in a child care setting serving children ages birth through eight years.
  - 3. Associate degree with six college credit hours in the areas of early childhood education/child growth and development, and 960 hours experience in a child care setting serving children ages birth through eight years.
  - 4. Four-year college degree with a Florida teaching certificate and be currently employed by a school district in the state of Florida to teach Early Childhood Education in the Education and Training Cluster under the Department of Education Career and Technical Education Program. Trainers who meet this education and experience qualification are limited to teaching only in the Florida Department of Education Early Childhood Professional Certificate (ECPC) and Child Care Apprenticeship Certificate (CCAC) programs.
  - 5. A high school diploma or GED; a National Early Childhood Credential or a Department-approved Birth Through Five FCCPC and three years of full-time experience in a licensed family child care home within the past five years. Trainers who meet this education and experience qualification are limited to teaching only the six-hour Family Child Care Home Rules and Regulations course.
  - 6. Four-year college degree or higher with six college credit hours in the area of elementary education, and 480 hours experience in a child care setting serving school-age children ages five through twelve years. A Florida teaching certificate may be substituted for the 480 hours experience in a child care setting. Trainers who meet this education and experience qualification are limited to teaching only the five-hour School-Age Appropriate Practices course and five hour Understanding Developmentally Appropriate Practices course.
- D. The Department or its designated representative may require a trainer to attend a specific child care training course prior to being approved.

#### **4.8.2 School-Age FCCPC Child Care Professional Credential Training Program Providers**

The Department is responsible for ensuring the approved School-Age FCCPC Training Providers meet the program requirements. A list of approved “School-Age FCCPC Training Providers” may be obtained from the Department’s website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).

- A. The operational status of a training provider that has been approved to provide the School-Age FCCPC Program and is currently accepting students will be referred to as “Compliant.” A Compliant FCCPC School-Age training provider shall submit the signed attestation page of the CF-FSP 5257, which is incorporated by reference in paragraph 65C-22.001(7)(h), F.A.C., annually to the Department or its designated representative on or by September 30. Compliant FCCPC training providers must ensure availability of all training program files to the Department upon request and be subject to both informal and formal audits/observations. Compliant FCCPC training providers who wish to change their program status to Compliant/Non-operational or Closed must notify the Department in writing of their intent and if they currently have enrolled students, they must provide a teach out plan to the Department for the students to ensure they have an opportunity to complete their credential work.
- B. The operational status of a training provider who has been approved to provide the School-Age FCCPC Program but is not currently accepting students shall be referred to as “Compliant/Non-operational.” Compliant/Non-operational School-Age FCCPC training providers are required to maintain program accreditation or licensure during the time they are not accepting students. The signed attestation page of the CF-FSP 5257 (School-Age Providers) is to be submitted annually to the Department or its designated representative. Prior to returning to Compliant status, the training provider must notify the Department in writing of the intent to re-open the program and receive written approval from the Department before enrolling students.
- C. A training provider who has failed to maintain the requirements of the School-Age FCCPC program shall be deemed as “Non-compliant.” Non-compliant School-Age training providers may not teach the FCCPC program and will be removed from the approved list.
- D. The operational status of a training provider who has voluntarily decided to no longer accept students shall be referred to as “Closed.” Closed School-Age training providers may not teach the FCCPC program and will be removed from the approved list.

Training providers who offer the School-Age FCCPC training shall submit FCCPC training student completion documentation in the prescribed format to the Department for issuance of the FCCPC, and to update the graduate’s child care Training Transcript.

#### **4.8.3 Director Credential Training Providers**

The Department is responsible for ensuring the approved “Overview of Child Care Management” courses offered through vocational-technical schools, community/state colleges and universities meet the requirements for the Director Credential coursework. A list of approved “Overview of Child Care Management”

courses may be obtained from the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).

- A. Currently approved vocational-technical schools, community colleges, colleges and universities offering "Overview of Child Care Management" courses must submit an annual attestation for Director Credential coursework by September 30 to the Department or its designated representative. Failure to submit a completed annual attestation shall result in revocation of course approval. Compliant "Overview of Child Care Management" training providers must ensure availability of all training program files to the Department upon request and be subject to both informal and formal audits. Upon receipt of each provider's proof of compliance, the Department will designate a program as one of the following:
  - 1. Compliant, if the approved program has met the requirements and is currently accepting students.
  - 2. Compliant/Non-Operational, if the program has met the requirements but is not currently accepting students.
  - 3. Noncompliant, if the program has failed to maintain the requirements or has voluntarily decided to no longer accept students. Noncompliant training providers Overview of Child Management courses will not be accepted by the Department and will be removed from the approved list.
- B. The Department will accept a Director/Administrator Credential/Certificate that has been issued by another state agency which authorizes an individual to be a director of a child care facility in that state, subject to approval by the Department of Children and Families. Third party issuances of such credentials/certificates will not be accepted.
- C. Applications for new coursework are no longer accepted by the Department. Child care program administration courses offered for college credit may be reviewed for acceptance to meet the Overview of Child Care Management requirement.

## 5 Background Screening

### 5.1 Initial Screening

A screening must be conducted as a condition of employment. The employer/owner/operator must review each employment application to assess the relevancy of any issue uncovered by the complete background screening, including any arrest, pending criminal charge, or conviction, and must use this information in employment decisions in accordance with state laws.

- A. Level 2 screening as outlined in s. 435.04, F.S., is required for all child care personnel and includes a criminal records check (both national and statewide), a sexual predator and sexual offender registry search, and child abuse and neglect history of any state in which an individual resided during the preceding 5 years. All fingerprints must be submitted and processed through the Background Screening Clearinghouse and therefore a LiveScan vendor that is Clearinghouse compatible must be used for submission of fingerprints.
- B. The fingerprint results from the Federal Bureau of Investigation will be returned to DCF via the Florida Department of Law Enforcement. DCF will review both the federal and

- state criminal history results, along with state criminal records, national sex offender registry, Florida sex offender registry, and the Florida child abuse and neglect registry.
- C. DCF will issue an eligible or non-eligible result through the Clearinghouse upon completion of searches and results from other states, if applicable.
  - D. The employer/owner/operator must conduct employment history checks, including documented attempts to contact each employer that employed the individual within the preceding five years, and documentation of the findings. Documentation must include the applicant's job title and description of his/her regular duties, confirmation of employment dates, and level of job performance. The employer/owner/operator must make at least three attempts to obtain employment history information. Failed attempts to obtain employment history must be documented in the personnel file and include date, time, and the reason the information was not obtained.
  - E. The employer/owner/operator must send a request for a search of each state's criminal records if the individual has lived outside the state of Florida in the preceding five years. Visit [www.myflfamilies.com/backgroundscreening](http://www.myflfamilies.com/backgroundscreening), click on the National Records Request link to obtain instructions and forms to complete to submit a request for the search. Documentation of the date the search was requested, and the date the results were received, must be maintained in the employee's file for review by the licensing authority. Once results are received they must be forwarded to DCF Background Screening unit for review. The results may be faxed to: (850) 922-2895, emailed to: [Background.screening@myflfamilies.com](mailto:Background.screening@myflfamilies.com) or mailed to: Department of Children and Families Background Screening Unit 1317 Winewood Boulevard, Building 6 Floor 3, Tallahassee, Florida 32399-0700. If the previous state of residence participates in the National Fingerprint File Program, then a request for criminal history records will not be required. A list of states participating in the NFF may be found at this link: <https://www.fbi.gov/services/cjis/compact-council/interstate-identification-index-iii-national-fingerprint-file-nff>.
  - F. The employer/owner/operator must send a request for a search of each state's child abuse and neglect registry if the individual has lived outside the state of Florida in the preceding five years. Visit [www.myflfamilies.com/backgroundscreening](http://www.myflfamilies.com/backgroundscreening), click on the National Records Request link to obtain the instructions and forms to complete to submit a request for a search. Documentation of the date the search was requested, and the date the results were received, must be maintained in the employee's file for review by the licensing authority.
  - G. The employer/owner/operator must conduct a search of the sexual offender/predator registry of any state the individual has lived in outside the state of Florida in the preceding five years. Visit [www.myflfamilies.com/backgroundscreening](http://www.myflfamilies.com/backgroundscreening), click on the National Records Request link to obtain the instructions and forms to complete to submit the request for a search. Documentation of the search date, and findings from each state, must be documented in the employee's file for review by the licensing authority.
  - H. The employer/owner/operator must maintain on-site at the program copies/documentation of completion of all applicable elements in the screening process for an individual in the personnel file for review by the licensing authority.
  - I. An individual may be hired under one of these circumstances:
    - 1. If all components are complete with an eligible screening and documented in the employee's file.
    - 2. "Provisional hire" status upon notification email from the Department allowing the individual to be hired for a 45-day period while out of state records are being

requested and awaiting clearance. During those 45 days the individual must be under the supervision of a screened and trained child care personnel when in contact with the children.

3. Screening requests have been initiated, but before results have been received, the individual may be hired for training and orientation purposes only in accordance with s. 435.06(2)(d), Florida Statutes. Until screening is complete showing good moral character, the employee may not be in contact with the children as specified in this statute.
- J. The employer/owner/operator must **initiate the screening** through the Clearinghouse prior to fingerprinting. Failure to initiate the screening may result in an invalid screening and the individual will have to be re-fingerprinted and pay the fees again.
- K. The employer/owner/operator must add child care personnel to their Employee/Contractor Roster in the Clearinghouse within ten days of when the individual has received a child care eligible result and has been hired at the facility. Employer/owner/operator must add an end date for individuals on the Employee/Contractor Roster in the Clearinghouse within 10 days of the employment termination.
- L. The employer/owner/operator will receive an email notification if any employee on the Employee/Contractor Roster is arrested for a disqualifying offense. The employer/owner/operator is required to take appropriate action if an employee becomes disqualified from employment pursuant to s. 435.06, Florida Statutes.
- M. If the facility is located in or adjacent to the home of the operator, then background screening documentation must be maintained for all household members. Household members aged 12 to 17 years must complete a Juvenile Records Check with FDLE.

## 5.2 Re-Screening

A screening conducted under this rule is valid for five years, at which time a re-screen must be conducted in the same manner as the initial screening.

- A. The five-year re-screen is required for all child care personnel.
- B. The five-year re-screen must include, at a minimum, a criminal records check (both national and statewide), a sexual predator and sexual offender registry search, and child abuse and neglect history of any state in which an individual resided during the preceding 5 years.
- C. Child care personnel must be re-screened following a break in employment in the child care industry that exceeds 90 days. Child care personnel/individual with a break in service that exceeds 90 days are considered unscreened child care personnel/individuals until completion of re-screening. These child care personnel/individuals shall not have unsupervised contact with children in care.
- D. If child care personnel take a leave of absence, such as maternity leave, extended sick leave, migrant child care programs, etc. re-screening is not required unless the five-year re-screen comes due during the leave of absence.

**All screening and rescreening must be processed using the Background Screening Clearinghouse. [go to**

<http://www.dcf.state.fl.us/programs/backgroundscreening/index.shtml> **and**

<https://apps.ahca.myflorida.com/SingleSignOnPortal/Login.aspx?ReturnUrl=%2fSingleSignOnPortal%2f>]



## 6 Health Requirements

There are three common modes of transmission for the spread of microorganisms in child care settings: contact, droplet, and airborne. Many common infections encountered in the child care setting are transmitted by direct or indirect contact. Child care facilities shall develop a written exposure plan regarding universal safety precautions, recommended by the Centers for Disease Control and Prevention (CDC), to follow in the event there is exposure to blood and potentially infectious fluids. Personnel are required to be educated on the facility's exposure plan regarding standard precautions before beginning to work and annually thereafter. Written documentation that child care personnel have participated in the facility's annual refresher education for the exposure plan and understand the proper procedures in the event there is exposure to blood and potentially infectious fluids must be retained for 12 months and be available for licensing to review.

### 6.1 Communicable Disease Control

- A. Children in care must be observed on a daily basis for signs of communicable disease.
- B. Any child, child care personnel or other person in the school-age child care program suspected of having a communicable disease must be removed from the program or placed in an isolation area until removed. Such person may not return without medical authorization, or until the signs and symptoms of the disease are no longer present. If the local health department official or primary health care provider suspects that a child or child care personnel are contributing to transmission of the illness, is not adequately immunized when there is an outbreak of a vaccine-preventable disease, or the circulating pathogen poses an increased risk to the individual. The child or child care personnel must not return until the health department or primary health care provider determines the risk of transmission is no longer present. Child care personnel who work in the food preparation area may not return until the signs and symptoms of the disease have not been present for 48 hours.
- C. A child's condition must be reported to the custodial parent or legal guardian. For children whose symptoms do not require exclusion, verbal or written notification to the parent/guardian at the end of the day is acceptable.
- D. Signs and symptoms of suspected communicable disease include:
  - 1. Severe coughing, causing a child to become red or blue in the face or to make a whooping sound;
  - 2. Difficult or rapid breathing;
  - 3. Stiff neck;
  - 4. Diarrhea (more than one abnormally loose stool within a 24-hour period);
  - 5. Temperature of 101 degrees Fahrenheit or higher in conjunction with any other signs of illness;
  - 6. Pink eye;
  - 7. Exposed, open skin lesions;
  - 8. Unusually dark urine and/or gray or white stool;
  - 9. Yellowish skin or eyes; or
  - 10. Any other unusual sign or symptom of illness.
- E. A child identified as having head lice must not be permitted to return until the

following day, and then only if treatment has occurred and been verified. Verification of treatment may include a product box, box top, empty bottle, or signed statement by a parent that treatment has occurred. The child care facility must treat areas, equipment, toys, and furnishings with which the child has been in contact.

#### **6.1.1 Isolation Area**

- A. Each school-age child care program must have a designated isolation area for a child who becomes ill while in care.
- B. Such space must be adequately ventilated, cooled, heated, and equipped with a bed, mat, or cot, and materials that can be cleaned and sanitized or disinfected easily.
- C. Linens are to be changed after each use, and used linens must be kept in a closed container in the isolation area until cleaned.
- D. Disposable items must be kept in a closed container in the isolation area until thrown away.
- E. The isolated child must be within sight and hearing of child care personnel at all times. The child must be carefully observed at all times for worsening conditions.

#### **6.1.2 Outbreaks**

- A. Operators are required to notify the local county health department immediately upon any suspected outbreak of communicable disease in accordance with Chapter 64D-3, F.A.C., Communicable Disease Control, and must follow the health department's direction.
- B. A suspected outbreak occurs when two or more children or child care personnel have the onset of similar signs or symptoms within a 72-hour period or when a case of a serious or reportable communicable disease is diagnosed or suspected in a child or child care personnel. Some examples include shigella, salmonella, chicken pox, measles, pertussis, and foot and mouth disease. Contact your local health department for a determination of whether reporting is required.

### **6.2 First Aid Kit Minimum Requirements**

- A. At least one first aid kit must be maintained on the premises at all times. The kit(s) must be accessible to the child care personnel at all times and kept out of the reach of children. If the first aid kit is stored in the food preparation area, it must be stored in a manner to prevent contamination of food, food contact surfaces, or first aid supplies. First aid kits or supplies must be restocked after each use.
- B. A first aid kit must be accessible and available to child care personnel when children are participating on field trips, during transporting, and other activities away from the facility.
- C. Each kit must be kept in a closed container and labeled "First Aid" and must, at a minimum include:
  - 1. Soap and hand sanitizer (to be used with supervision if hands are not visibly soiled and if no water is present),
  - 2. Adhesive bandages,
  - 3. Disposable, non-porous gloves,
  - 4. Cotton balls or applicators,
  - 5. Sterile gauze pads or rolls,



6. Adhesive tape,
7. Digital Thermometer,
8. Tweezers,
9. Pre-moistened wipes,
10. Scissors,
11. Bottled water (for cleaning wounds or eyes) and
12. A current resource guide on first aid and CPR procedures.

### 6.3 Emergency Telephone Numbers

- A. Emergency telephone numbers must be posted on or near all telephones, including 911, ambulance, fire, police, poison control center, Florida Abuse Hotline, and the county public health department. Additionally, the address and directions to the facility must be posted with descriptions of major intersections and local landmarks.
- B. For serious injuries, the provider shall call 911 and then notify the parent.
- C. Custodial parents or legal guardians must be notified immediately in the event of any serious illness, accident, injury or emergency to their child, and their specific instructions regarding action to be taken under such circumstances must be obtained and followed.
- D. If the custodial parent or legal guardian cannot be reached, the school-age child care program director or owner will contact those persons designated by the custodial parent or legal guardian to be contacted under such circumstances, and must follow any written instructions provided by the custodial parent or legal guardian on the enrollment form.

### 6.4 Accident/Incident Notification

- A. All accidents and incidents or unusual occurrences that are threatening to the health, safety, or welfare of a child that occur while a child is in care must be documented on the same day they occur.
- B. This documentation must be shared with the custodial parent or legal guardian on the date of occurrence.
- C. Documentation must include the name of the affected party, date and time of the occurrence, description of the occurrence, actions taken and by whom, and appropriate signatures of child care personnel and the custodial parent or legal guardian. Child care personnel signatures may include the director/child care personnel that witnessed the incident, who were involved in the incident, and/or responded to the child's needs.
- D. The documentation must be maintained for 12 months. If the parent or legal guardian does not pick up the child on the date of occurrence of the accident or incident, the individual authorized to pick up the child must sign and be provided a copy of the accident/incident form.
- E. In the event of serious injury or death, the incident must immediately be reported to the licensing authority.

### 6.5 Medication

School-age child care programs are not required to give medication; however, if a program chooses to do so, the following must apply:

- A. The school-age child care program must have written authorization from the custodial parent or legal guardian to give prescription and non-prescription medications. This authorization must be dated and signed by the custodial parent or legal guardian and

contain the child's name; the name of the medication to be given; and date, time and amount of the correct dosage to be given. Prescription and non-prescription medications that are used on an "as needed" basis require the parent/ legal guardian to provide additional documentation on the authorization form to describe symptoms that would require the medication to be given. The child care provider must never administer a medication that is prescribed for one child to another child.

- B. Any known allergies to medication or special restrictions must also be documented, maintained in the child's file, shared with child care personnel and posted with the child's stored medication.
- C. Prescription and non-prescription medication brought to the school-age child care program by the custodial parent or legal guardian must be in the original container. Prescription medication must have a label stating the name and contact information of the physician and/or pharmacy, child's name, name of the medication, and medication directions. All prescription and non-prescription medication must be dispensed according to written directions on the prescription label or printed manufacturer's label and maintained at the appropriate temperature.
- D. In the event of an emergency, non-prescription medication that is not brought in by the parent or legal guardian can be dispensed only if the program has written permission from the parent or legal guardian to do so.
- E. Any medication given under these conditions must be documented in the child's file, and the custodial parent or legal guardian must be notified on the day of occurrence.
- F. The facility must maintain a record for each child receiving medications that documents the full name of the child, the name of the medication, the date and time the medication was given, the amount and dosage, and the name of the person who gave the medication. This record must be initialed or signed by the program personnel who gave the medication. The record must be maintained for a minimum of 12 months after the last day the child received the medicine.
- G. All medicine must have child resistant caps, if applicable, and must either be stored in a locked area or must be out of any child's reach. If medication is stored in the food preparation area, it must be stored in a manner to prevent contamination of food, food contact surfaces, or medication.
- H. Medication that has expired or that is no longer being dispensed must be returned to the custodial parent or legal guardian or discarded if the child is no longer enrolled in the program.
- I. Prior to administering medication to children, child care personnel responsible for administering medication must be educated on proper administration procedures. Written documentation must be maintained in the personnel file that child care personnel administering medication have been educated on proper administration procedures.
- J. Child care personnel must ensure sun safety for themselves and children under their supervision. Sunscreen and insect repellent may only be utilized with written permission from parents/guardians. Manufacturer instructions must be followed.
- K. Sunscreen and insect repellent do not need to be documented on the medication log unless prescribed by a physician.

## 7 Record Keeping

Each of the records described in this section must be maintained at the program location and must be available during the hours of operation for review by the licensing authority.

- A. A copy of all background screening clearance documents for the director and owner must be provided to the Department to be included in the Department's official licensing file.
- B. The following is a list of documentation that is required to be at the facility for review by the licensing authority:
  - 1. Transportation log must be retained for a minimum of 12 months.
  - 2. Documentation of parental permission for field trips and food activities/special occasions must be retained for a minimum of 12 months.
  - 3. Facility's written discipline and expulsion policies.
  - 4. Daily attendance of children's records must be maintained for twelve months.
  - 5. Written record of fire drills. Must be maintained for a minimum of 12 months.
  - 6. Documentation of child care personnel who have met the first aid and pediatric cardiopulmonary resuscitation (CPR) training requirement.
  - 7. Posted emergency telephone numbers, the facility address and directions to the facility.
  - 8. Documentation of accidents/incidents must be maintained for 12 months from the date of the accident/incident.
  - 9. Documentation of emergency preparedness plan drills must be maintained for 12 months from each drill.
  - 10. Record for each child receiving medication must be maintained for a minimum of 12 months after the last day the child received the dosage.
  - 11. Any child requiring a special diet shall have a copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet as documentation in the child's file for as long as the child is in care.
  - 12. Written documentation of known food allergies (if applicable) must be maintained for as long as the child is in care.
  - 13. Daily meal and snack menus, including meal substitutions must be maintained for a minimum of 12 months.
  - 14. Food Acceptance Log must be retained for a minimum of 12 months.
  - 15. Copy of license or permit for caterers.
  - 16. If a caterer is used and is responsible for dishwashing food equipment, tableware and utensils used to prepare food, a written agreement must be available for licensing to review.
  - 17. Documentation of emergency care plan, if applicable, must be maintained for as long as the child is in care.
  - 18. Daily indoor and outdoor inspection log must be maintained for a minimum of 12 months.
  - 19. Documentation of monthly maintenance inspections for all supports above and below the ground, connectors and moving parts of playground equipment.
  - 20. Documentation of carbon monoxide detector maintenance and testing, if applicable, must be maintained for a minimum of 12 months.
  - 21. Documentation of unitary surface materials tested to and complying with ASTM F1292, if applicable.
  - 22. Documentation of fire extinguisher training for all child care personnel.
  - 23. The Department's Training Transcript for each child care personnel as documentation of completion of introductory training, school-age training, and transportation training (if applicable).

24. Annual in-service training documented on CF-FSP Form 5268, Child Care In-Service Training Record for all child care personnel.
  25. Documentation of medication administration training, if applicable.
  26. Documentation of training on water safety devices (a ring buoy and rope, a rescue tube, or a throwing line and a shepherd's hook), if applicable.
  27. A written exposure plan regarding universal safety precautions and documentation that child care personnel have been educated before beginning to work and/or participated in the facility's annual refresher education for the exposure plan.
  28. Documentation of an annual vehicle inspection by a mechanic for any vehicle used to transport children in care, if applicable.
  29. Documentation of insurance for vehicles used by the facility to transport children in care.
  30. If the facility provides transportation, the driver's personnel file must have documentation of driver's license and physical examination granting medical approval to operate a vehicle.
  31. Documentation of each volunteer's hours must be maintained for a minimum of 12 months.
  32. Documentation of background screening for all child care personnel must be on-site and available for review.
  33. A complete employment application for each child care personnel employed at the facility.
  34. A current child care application for enrollment, CF-FSP Form 5219 or equivalent, for each child enrolled at the facility.
  35. Documentation from parent/guardian for receipt of Know Your Child Care Facility brochure, food and nutrition polices, Influenza Virus Guide to Parents brochure, and Distracted Adult brochure.
  36. Written plan for reporting and managing any incident or unusual occurrence that is threatening to the health, safety or welfare of the children or child care personnel.
  37. A written emergency preparedness plan that includes procedures to be taken by the facility during a fire, evacuation, relocation, shelter in place, lockdown, and inclement weather; facilitating parent/guardian reunification onsite and offsite; notifying and updating parents/guardians; and meeting the needs of all children during and following an emergency event.
  38. Written routine schedule for cleaning, sanitizing, and disinfecting equipment, materials, furnishings and play areas.
  39. Documentation of the director working the majority of hours on-site at the facility.
  40. Prescription and non-prescription medications that are used on an "as needed" basis require documentation on the authorization form to describe symptoms that would require the medication to be given.
  41. A written plan of scheduled activities must be posted.
  42. Written approval from the local governing body to verify compliance with building requirements, if applicable.
  43. Written permission from parent or guardian authorizing child care personnel to administer medication, sunscreen, or insect repellent, if applicable.
  44. Current vaccination records for any animals at the facility, if applicable.
- C. Copies of required records are acceptable for documentation. Original documents are the property of the party providing the information. Electronic records are acceptable

for documentation as long as the records are available and accessible for review by licensing authority during an inspection.

## **7.1 Immunization Records**

School-aged children attending public or non-public schools are not required to have immunization records on file at the school-age child care program since these records are on file at the school where the child is enrolled.

## **7.2 Student Health Records**

School-aged children attending public or non-public schools are not required to have student health examination on file at the school-age child care program since these records are on file at the school where the child is enrolled.

- A. Any child who has or is at an increased risk for a chronic physical, developmental, behavioral or emotional condition and require additional services must have a current Emergency Care Plan, prepared by the parent/guardian or physician, included in the child's file and readily accessible for those caring for the child. Child care personnel caring for a child with an Emergency Care Plan must be trained to recognize and respond appropriately to a medical emergency.

## **7.3 Enrollment Information**

The facility operator must obtain enrollment information from the child's custodial parent or legal guardian prior to accepting a child in care. This information must be documented on CF-FSP Form 5219, Child Care Application for Enrollment, or an equivalent form that contains all of the information required by the Department. CF-FSP Form 5219 is incorporated by reference in 65C-22.001(7)(f), F.A.C., and may be obtained from the licensing authority or by going to the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).

- A. Enrollment information must be kept on file, current and available for review by the licensing authority.
- B. The child must not be released to any person other than the person(s) authorized or in the manner authorized in writing by the custodial parent or legal guardians. The enrollment information shall include, in writing, permission for the facility to release the child to any person(s) authorized or in the manner authorized by the custodial parent or legal guardians. The name, address and phone number of authorized persons must be in the enrollment information.
- C. There must be signed statements from the custodial parents or legal guardian that the school-age child care program has provided them with the following information:
  - 1. The Department's child care facility brochure, CF/PI 175-24, Know Your Child Care Facility is incorporated by reference in 65C-22.001(7)(m), F.A.C. This brochure may be obtained from the licensing authority or by going to the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare). Local licensing agencies may use an equivalent brochure approved by the Department.
  - 2. The school-age child care program's written disciplinary and expulsion policies.
  - 3. The child care facility's food and nutrition policies that includes language on food safety and food allergens.
  - 4. Annually, during the months of August and September, the child care facility

must provide parents/guardians of children enrolled at the facility with information detailing the causes, symptoms, and transmission of the influenza virus pursuant to section 402.305(9)(b), F.S. To assist providers, the Department has a brochure, CF/PI 175-70 , Influenza Virus, Guide to Parents, which is incorporated by reference in 65C-22.001(7)(n), F.A.C. and may be obtained from the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).

5. Annually, during the months of April and September, the child care facility must provide parents with information regarding the potential for distracted adults to fail to drop off a child at the facility and instead leave them in the adult's vehicle upon arrival at the adult's destination. CF/PI 175-12 brochure, which is incorporated by reference in 65C-22.001(7)(x), F.A.C. and may be obtained from the department's website at [www.myflfamilies.com](http://www.myflfamilies.com).
- D. Enrollment information shall include parental/guardian consent for child care personnel to have access to child's records.

## **7.4 Personnel Records**

Records must be maintained and kept current on all child care personnel, as defined by section 402.302(3), F.S. These records shall be on-site, available for review by the licensing authority and must include:

- A. A complete employment application with the required statement pursuant to section 402.3055(1)(b), F.S.
- B. Documentation of position and date of employment.
- C. A signed CF-FSP Form 5337, Child Abuse & Neglect Reporting Requirements form. CF-FSP Form 5337 is incorporated by reference in paragraph in 65C-22.001(7)(l), F.A.C., must be signed on or before hire date and annually thereafter by all child care personnel.
- D. A signed CF-FSP 5217, Volunteer Acknowledgement form, for volunteers. CF-FSP 5217 is incorporated by reference in 65C-22.001(7)(e), F.A.C., and may be obtained from the Department's website, [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare). Written documentation of volunteer hours must be maintained at the facility and available for review by the licensing authority.
- E. Copies of training information and credentials as applicable.
- F. For the driver only: Florida driver's license and driver physical examination documentation. A copy of the driver's license and the physician certification, or another form containing the same elements of the physician certification, granting medical approval to operate the vehicle, and valid certificate(s) of course completion for first aid training, pediatric cardiopulmonary resuscitation (CPR) procedures, and background screening must also be maintained in the driver's personnel file.

### **7.4.1 Background Screening Documents**

Background screening documentation must be maintained for all child care personnel as defined by Section 402.302(3), F.S., which includes household members if the facility is located in or adjacent to the home of the operator. Background screening documentation must be on-site and available for the licensing authority to review.

- A. Each personnel record must have a completed CF-FSP Form 5131, Background Screening and Personnel File Requirements, which is incorporated by reference in paragraph 65C-22.001(7)(b), F.A.C.
- B. CF Form 1649A, Child Care Attestation of Good Moral Character, must be completed for all child care personnel at the time of initial screening or upon change in employers. CF Form 1649A is incorporated in reference by 65C-22.001(7)(a), F.A.C., and may be obtained from the Department's website at [www.myflfamilies.com/childcare](http://www.myflfamilies.com/childcare).
- C. A copy of the eligible results, for the Level 2 screening, generated from the Clearinghouse must be on record for each personnel. If awaiting Out-of-State criminal history results, a copy of the DCF email informing of the individual's eligibility for a provisional hire status must be in the personnel file.
- D. A copy of the DCF letter/email informing of search conducted of the Florida's child abuse and neglect registry must be on record for each personnel screened between July 1<sup>st</sup> and December 15<sup>th</sup> of 2016.
- E. A copy of each request made to out of state child abuse and neglect registries for individuals that lived outside the state of Florida in the preceding five years.
- F. A copy of each search conducted for out of state sexual offender/predator registries for individuals that lived outside the state of Florida in the preceding five years.
- G. A copy of all background screening clearance documents for the director and owner must be included in the Department's official licensing file or in accordance with the appropriate local licensing agency requirements.
- H. A copy of the Juvenile Records Check with FDLE for any household members aged 12 to 17 years, if facility is located in or adjacent to home of the operator.

## 7.5 Daily Attendance

Daily attendance of children must be taken and recorded by the school-age child care program personnel, documenting the time when each child enters and departs the program.

- A. Attendance devices used for the purposes of tracking attendance may be used, but personnel must ensure accuracy of the documented attendance. Each classroom must have an attendance sheet/class roster for the group of children occupying that space. Attendance sheet/class roster must accompany the child care personnel and the group of children throughout the day should they leave the classroom space (for example when the group goes outside for outdoor play, the child care personnel must take the attendance sheet/class roster with the group).
- B. The custodial parent or guardian may document the time when his/her child enters and departs the child care facility or program. However, child care facility personnel are responsible for ensuring that attendance records are complete and accurate for each class of students.
- C. School-age child care programs are responsible for the children in care at the time and place agreed upon between the provider and the parent. If a child does not arrive to the program or the agreed upon designated pick-up location, and the facility has an arrangement/agreement in place to receive the child from a school day program, to



- provide transportation or accept the child from other means of transportation, such as but not limited to, school district buses, contracted transportation services, city buses, or if the child is walking to the facility on their own, child care personnel must communicate immediately with the custodial parent/legal guardian; if there was no prior communication from the custodial parent/legal guardian of the child's absence. If a child is not present at the time of pick-up from an offsite location away from the facility, prior to leaving the designated location, child care personnel must contact the facility to notify them of the child's absence. Child care personnel at the facility must contact the child's parent or legal guardian to notify them of their child's absence. If child care personnel are unable to reach or leave a message with the child's parent/guardian, emergency contacts must be notified. All attempts to contact the parent/guardian and emergency contacts must be documented.
- D. Attendance records must be maintained for a minimum of 12 months.
  - E. Attendance forms used for School Readiness may be used, if applicable.

## **8 Access/Child Safety**

### **8.1 Access**

- A. A school-age child care program must provide the custodial parent or legal guardian access, in person and by telephone, to the program during normal hours of operation or during the time the child is in care.
- B. The child care facility must not interfere with or prevent the licensing authority from copying records, photographing or recording a location or activity on the premises as documentation for the inspection

### **8.2 Child Safety**

- A. Acts or omissions that meet the definition of child abuse or neglect provided in Chapter 39, F.S. or Chapter 827, F.S., constitute a violation of the standards in section 402.301-.319, F.S., and will support imposition of a sanction, as provided in Section 402.310, F.S.
- B. Failure to perform the duties of a mandatory reporter pursuant to Section 39.201, F.S., constitutes a violation of the standards in Section 402.301-.319, F.S.
- C. Child care personnel must appropriately interact with children to foster a healthy, safe environment that will encourage the child's physical, intellectual, motor, and social development. Interactions with children that are aggressive, demeaning or intimidating in nature are strictly prohibited.